

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

ORDER

On September 17, 2025,¹ we issued an Opinion and Order in this matter finding a bargaining unit of employees in certain titles or positions employed by the Board of Trustees of the University of Illinois (University) in the Residence Life Division of its Campus Housing Department appropriate under 115 ILCS 5/7 and directed the Executive Director to process the representation petition in accordance with our Opinion and Order. On September 26, the Executive Director issued an Order of Certification certifying the Office and Professional Employees International Union, Local 39, AFL-CIO (Union) as the exclusive representative for the purpose of collective bargaining of the aforementioned bargaining unit of the University's employees. On October 2, the University filed a Petition for Review of the Order of Certification with the Illinois Appellate Court for the Fourth District. The University filed a Motion for Stay of Bargaining Obligation with the undersigned on November 26. Therein, it seeks to stay its bargaining obligation arising from the Order of Certification.

¹ All dates occur in 2025 unless otherwise specified.

After careful consideration, we deny the University's motion. The Illinois Educational Labor Relations Act (IELRA or Act), 115 ILCS 5/1, *et seq.*, is silent with regard to standards or criteria for granting or denying a motion for stay. In *Decatur Board of Education, District No. 61 v. IELRB, et al.*, Docket No. 67702 (Illinois Supreme Court, October 12, 1988), the Illinois Supreme Court granted a respondent's motion for stay without articulating its rationale. However, in an Illinois Local Labor Relations Board case, the Illinois Supreme Court denied a respondent's motion for stay, again without articulating its rationale. *Forest Preserve District of Cook County v. ILLRB, et al.*, Docket No. 67960 (Illinois Supreme Court, January 4, 1989).

Without clear statutory or judicial announcement of the standards for granting or denying a motion for stay, we refuse to stay the Order of Certification.

This is not a final order that may be appealed under the Administrative Review Law. See 5 ILCS 100/10-50(b); 115 ILCS 5/16(a).

Decided: December 17, 2025

/s/ Lara D. Shayne

Issued: December 17, 2025

Lara D. Shayne, Chairman

/s/ Steve Grossman

Steve Grossman, Member

/s/ Chad D. Hays

Chad D. Hays, Member

/s/ Michelle Ishmael

Michelle Ishmael, Member

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