

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

Lenin Bassett,	)	
	)	
Charging Party	)	
	)	
and	)	Case No. 2026-CA-0052-C
	)	
Maywood-Melrose Park-Broadview SD 89,	)	
	)	
Respondent	)	

OPINION AND ORDER

I. Statement of the Case

On February 13, 2026, Lenin Bassett (Bassett or Charging Party) filed a charge with the Illinois Educational Labor Relations Board (Board or IELRB) in the above-referenced matter alleging that Maywood-Melrose Park-Broadview School District 89 (District or Respondent) committed unfair labor practices within the meaning of Section 14(a) of the Illinois Educational Labor Relations Act (Act or IELRA), 115 ILCS 5/1, *et seq.*¹ Following an investigation, the Board's Executive Director issued a Recommended Decision and Order (EDRDO) dismissing the charge as untimely filed on May 22, 2026. Later that day, Bassett filed timely exceptions to the EDRDO. On May 27, 2026, he filed supplemental exceptions. The District filed an untimely response on June 9, 2026.

II. Factual Background

We adopt the facts as set forth in the underlying EDRDO. Because the EDRDO comprehensively sets forth the factual background of the case, we will not repeat the facts herein except as necessary to assist the reader.

¹ The EDRDO says that the charge was filed on December 26, 2025, however the charge itself is marked as having been received on February 13, 2026. The correct date of the charge filing is the later date.

III. Discussion

Section 1120.30(c) of the Board's Rules and Regulations, 80 Ill. Adm. Code 1120.30(c), allows charging parties to file exceptions to an EDRDO and a supporting brief and respondents to file a response to exceptions and a supporting brief. Section 1120.30(c) does not provide for supplemental exceptions. It is not the Board's practice to allow parties to file briefs in addition to those for which the Rules provide. In *East Maine School District 63*, 13 PERI 1041, Case No. 94-CA-0024-C (IELRB, February 27, 1997), the Board denied a party's motion to file a reply for these reasons. Section 1120.30(c) does not grant Bassett leave to file supplemental exceptions. For that reason, we strike Bassett's supplemental exceptions.

Section 1120.30(c) provides, in relevant part: "Any party to the proceeding may file a response to any exceptions and supporting briefs within 14 days from receipt of a party's exceptions and supporting brief." (emphasis added) The District reports in its response that it treated the date Bassett filed his supplemental exceptions as triggering its response period. However, 1120.30(c) specifies that the 14-day period begins to run upon the receipt of exceptions. Here, the District received Bassett's exceptions on May 22, thus in order to be timely, its response should have been filed no later than June 5, 2026. The response, filed four days late, was untimely and is accordingly stricken.

Bassett argues in his exceptions that the EDRDO improperly construed his charge solely as a retaliation claim under Section 14(a)(1) of the IELRA. He explains that his charge was broader and involved arbitrary and improper interference with his employment rights, contractual protections, procedural due process, and improper handling of his employment status under the Collective Bargaining Agreement and applicable law. This Board has repeatedly found that whether a charging party has rights protected by a code or statute other than the IELRA is beyond the scope of its authority to assess. *Chicago Teachers Union*, 40 PERI 26, Case No. 23-CB-11-C (IELRB Opinion and Order, August 17, 2023); *Northern Illinois University*, 37 PERI 104, Case No. 20-CA-46-C (April 16, 2021); *General George S. Patton School Dist. 133*, 10 PERI 1118,

Case No. 94-CA-0050-C (IELRB Opinion and Order, August 19, 1994). Thus, the Executive Director correctly limited his analysis to the IELRA.

The EDRDO states that contractual disputes are more appropriately resolved through grievance and arbitration procedures. Bassett counters that the Union declined to advance his grievance to arbitration, thus the EDRDO leaves him without a meaningful remedy for the improper handling of his employment status. Although it is unfortunate for Bassett to be left this way, it is not the Board's function to police collective bargaining agreements, or to otherwise allow parties to use the Board's processes to remedy breaches or to enforce terms. *Elementary Teachers' Ass'n of West Chicago, IEA-NEA/West Chicago School District 33*, 5 PERI 1091, Case Nos. 86-CA-0061-C, 87-CA-0002-C (IELRB Opinion and Order, May 2, 1989), *aff'd sub nom*, *West Chicago School District 33 v. Illinois Educational Labor Relations Board*, 218 Ill. App. 3d 304, 578 N.E.2d 232 (1st Dist. 1991).

Bassett asserts that there is a meaningful factual dispute concerning whether the District properly served the Notice of Pre-Disciplinary Meeting. Even assuming the facts in a light most favorable to Bassett, that he never received the notice prior to the adverse employment action, there is no evidence that he engaged in protected activity prior to the adverse action, thus no causal connection can exist between the adverse action and his subsequent engagement in protected activity. Whether Bassett received notice of the meeting does nothing to change that.

IV. Order

For the reasons discussed above, IT IS HEREBY ORDERED that the Executive Director's Recommended Decision and Order is affirmed and the charge is dismissed in its entirety.

V. Right to Appeal

This is a final order of the Illinois Educational Labor Relations Board. Aggrieved parties may seek judicial review of this Order in accordance with the provisions of the Administrative Review Law, except that, pursuant to Section 16(a) of the Act, such review must be taken directly to the

Appellate Court of the judicial district in which the IELRB maintains an office (Chicago or Springfield). Petitions for review of this Order must be filed within 35 days from the date that the Order issued, which is set forth below. 115 ILCS 5/16(a). The IELRB does not have a rule requiring any motion or request for reconsideration.

Decided: **August 24, 2026**

Issued: **August 24, 2026**

/s/ Lara D. Shayne

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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