STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

Jennifer Lynne Sager,	)	
	)	
Charging Party	)	
	)	
and	)	Case No. 2026-CA-0055-C
	)	
Highland Community College Dist. 519,	)	
	)	
Respondent	)	

OPINION AND ORDER

I. Statement of the Case

On February 17, 2026, Jennifer Lynne Sager. (Sager or Charging Party) filed a charge with the Illinois Educational Labor Relations Board (Board) in the above-captioned matter alleging that Highland Community College District 519 (College 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*. Following an investigation, the Board's Executive Director issued a Recommended Decision and Order (EDRDO) dismissing the charge on April 27, 2026. Sager filed timely exceptions to the EDRDO on May 11, 2026. The College filed a timely response to her exceptions on May 22, 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.

III. Discussion

The Executive Director determined Sager's claim that the College violated Section 14(a)(1) of the Act was without merit because she provided no evidence of a causal connection between any protected activity on her part and the College's decision to suspend and terminate her employment. Sager's charge alleges that the College took adverse action against her when it constructively discharged her employment by offering her the option to resign before it recommended her termination to its Board of Trustees. Sager engaged in protected activity when she served as the Union's treasurer and when she brought her Union representative with her to the November 19, 2025 pre-disciplinary meeting and the December 11, 2025 meeting where the College notified Sager of its plans to recommend her termination.

However, Sager offered no evidence that the College took the adverse action because she engaged in protected activity. For the Board to issue a complaint for hearing alleging a violation of Section 14(a)(1), the charging party must at least be able to make some showing that they engaged in protected activity, the employer knew of that activity and took adverse action against them as a result of their involvement in that activity. *Neponset Community Unit School District No. 307*, 13 PERI 1089, Case No. 96-CA-0028-C (IELRB Opinion and Order, July 1, 1997). Causation is a fact-based inquiry and may be inferred from various factors, including: an employer's expressed hostility towards unionization or grievance filing, together with knowledge of the employee's protected activities; proximity in time between the employee's protected activities and the disciplinary action; inconsistencies between the proffered reason for discipline and other actions of the employer; shifting explanations for the discipline or discharge of the employee; and disparate treatment of employees or a pattern of conduct which targets union supporters for adverse employment action. *City of Burbank v. ISLRB*, 128 Ill. 2d 335, 538 N.E.2d 1146 (1989). The College's proffered reason for recommending Sager's termination was that she listed her ex-husband as a covered dependent on her College health insurance for several years after her divorce was finalized. Even if the College was incorrect, Sager's claim that the College's reason for the adverse action was false, in and of itself, does not satisfy the requisite causal connection needed for a complaint to issue.

Sager argues in her exceptions that the EDRDO must be reversed because it contradicts an Illinois Department of Employment Security decision finding that she was discharged and that she did not act with willful or deliberate intent to deceive the College. This assertion fails for two reasons. First, nothing in the EDRDO conflicts with either of these findings. Second, the issue before the Executive Director, and this Board, is whether Sager presented enough evidence for a complaint to issue alleging a violation of the IELRA, not the Illinois Unemployment Insurance Act. Whether the College has committed violations of a code or statute other than the IELRA is beyond the scope of the Board's authority to address. *George S. Patton School District 133*, 10 PERI 1118, Case No. 1994-CA-0050-C (IELRB Opinion and Order, August 19, 1994).

The Executive Director dismissed the portion of Sager's charge alleging a violation of Section 14(a)(10) of the Act because she presented no evidence that she sought to perform any act protected by 14(a)(10), nor any evidence that the College took any action intending to restrict her right to do so.[1] In her exceptions, Sager claims that this is incorrect and cites what she claims is a 1996 decision involving Thornton Township High School District 205. Section 14(a)(10) was not a part of the Act until 2019. Sager's citation, 12 PERI 1084, leads to a charge filed by an individual employee of East St. Louis School District 189 against his union alleging a 14(b)(1) violation. Sager presents nothing in her exceptions that supports her theory that her 14(a)(10) allegation was incorrectly dismissed.

The Executive Director found that Sager's claim that the College violated Section 14(a)(11) of the Act was without merit.[2] The Executive Director reasoned that Sager presented no evidence

[1] Section 14(a)(10) of the Act prohibits educational employers from:

> Interfering with, restraining, coercing, deterring or discouraging educational employees or applicants to be educational employees from: (1) becoming members of an employee organization; (2) authorizing representation by an employee organization; or (3) authorizing dues or fee deductions to an employee organization, nor shall the employer intentionally permit outside third parties to use its email or other communications systems to engage in that conduct. An employer's good faith implementation of a policy to block the use of its email or other communication systems for such purposes shall be a defense to an unfair labor practice.

[2] Section 14(a)(11) of the Act prohibits educational employers from:

> Disclosing to any person or entity information set forth in subsection (d) of Section 3 of this Act that the employer knows or should know will be used to interfere with, restrain, coerce, deter, or discourage any public employee from: (i) becoming or remaining members of a labor organization, (ii) authorizing representation by a labor organization, or (iii) authorizing dues or fee deductions to a labor organization.

that the College disclosed any information listed in Section 3(d) of the Act.[3] In her exceptions, Sager disagrees, pointing to the College's public disclosure of her termination recommendation at the College's December 17 Board meeting. On its face, this conduct does not appear within Section 3(d) of the Act.

Finally, Sager argues that the College failed to follow procedures in the collective bargaining agreement because it bypassed grievance and arbitration procedures and moved directly to discharge within four days. The Board dismisses charges solely alleging a breach of a collective bargaining agreement. *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). 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. *Id.* Accordingly, Sager's claim that the College deviated from the CBA fails to raise an issue of fact or law for hearing.

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.

[3] Section 3(d) of the Act prohibits employers from disclosing:

> (1) the employee's home address (including ZIP code and county); (2) the employee's date of birth; (3) the employee's home and personal phone number; (4) the employee's personal email address; (5) any information personally identifying employee membership or membership status in a labor organization or other voluntary association affiliated with a labor organization or a labor federation (including whether employees are members of such organization, the identity of such organization, whether or not employees pay or authorize the payment of any dues of moneys to such organization, and the amounts of such dues or moneys); and (6) emails or other communications between a labor organization and its members.

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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