

**STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD**

In the Matter of:)	
)	
Robert Lockwood)	
)	
Charging Party,)	
)	
and)	Case No. 2007-CA-0014-C
)	
Harlem Consolidated School District No. 122,)	
)	
Respondent.)	

OPINION AND ORDER

On September 14, 2006, Robert Lockwood filed an unfair labor practice charge with the Illinois Educational Labor Relations Board (“Board”). On February 16, 2007, the Executive Director issued a Recommended Decision and Order. The Executive Director determined that the evidence did not establish an un rebutted prima facie case that the Harlem Consolidated School District No. 122 (“District”) violated Sections 14(a)(1) and 14(a)(3) of the Illinois Educational Labor Relations Act (“Act”). Accordingly he dismissed the unfair labor charge in its entirety.

On March 6, 2007, Lockwood filed exceptions to the Executive Director’s Recommended Decision and Order.

I.

We adopt the Executive Director’s statement of the facts, which we published at 23 PERI ¶ 20. In processing unfair labor practice charges, the Board “must decide whether its investigation establishes a prima facie issue of law or fact sufficient to warrant a hearing of the charge.” *Lake Zurich School District No. 95*, 1 PERI 1031, Case No. 84-CA-0003 (IELRB, November 30, 1984). The Board affirms the ED’s decision finding that the charging party failed to establish a prima facie issue of law or fact sufficient to warrant a hearing. The exceptions only state that the charging party disagrees with the Executive Director’s conclusions. The charging party’s exceptions are without merit.

For the above reasons IT IS HEREBY ORDERED that the Executive Director's Recommended Decision and Order is affirmed. The unfair labor practice is dismissed in its entirety.

II. 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 Board maintains an office (Chicago or Springfield). "Any direct appeal to the Appellate Court shall be filed within 35 days from the date that a copy of the decision sought to be reviewed was served upon the party affected by the decision," 115 ILCA 5/16(a).

Decided: November 14, 2007

Issued: November 15, 2007

Chicago, Illinois

/s/ Lynne O. Sered
Lynne O. Sered, Chairman

/s/ Ronald F. Ettinger
Ronald F. Ettinger, Member

/s/ Bridget L. Lamont
Bridget L. Lamont, Member

/s/ Michael H. Prueter
Michael H. Prueter, Member

/s/ Jimmie E. Robinson
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