

**STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD**

In the Matter of:)	
)	
Mildred A. Burnett-Futch,)	
)	
Objector)	
)	
and)	Case No. 2006-FS-0001-C
)	
Waukegan Council,)	
Lake County Federation of Teachers,)	
Local 504, IFT-AFT,)	
)	
Respondent)	

OPINION AND ORDER

On July 13, 2005, Objector Mildred A. Burnett-Futch (Burnett-Futch) filed a fair share fee objection with the Illinois Educational Labor Relations Board (Board or IELRB). Burnett-Futch objected to the fair share fee assessed by the Waukegan Council, Lake County Federation of Teachers, Local 504, IFT-AFT (IFT). After investigation, the IELRB's Executive Director issued a Recommended Decision and Order dismissing Burnett-Futch's objection. Burnett-Futch filed timely exceptions to the Executive Director's Recommended Decision and Order.

Section 1125.30(a) of the Board's Rules, 80 Ill. Adm. Code 1125.30(a), provides that only a non-member of the union that is the exclusive representative may file an objection to the fair share fee. The Executive Director determined that investigation in this matter disclosed that Burnett-Futch is a member of IFT and accordingly may not appropriately file an objection to the fair share fee assessed by IFT. On appeal, Burnett-Futch asks us to consider that she has cancelled her IFT membership. However, the record in this matter reveals that Burnett-Futch was an IFT member at the time she filed her objection on July 13, 2005. Thus, we affirm the Executive Director's Recommended Decision and Order and dismiss the objection.

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

Right to Appeal

This is a final order of the IELRB. Aggrieved parties may seek judicial review of this Order in accordance with the provisions of the Administrative Review Law, except that, pursuant to 115 ILCS

5/16(a), such review must be taken directly to the appellate court of the judicial district in which the IELRB 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 ILCS 5/16(a).

Decided: December 13, 2005
Issued: December 16, 2005
Chicago, Illinois

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

/s/ Ronald Ettinger
Ronald Ettinger, Member

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

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

/s/ Jimmie Robinson
Jimmie Robinson, Member

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