

**Joint Committee on Administrative Rules**

**ADMINISTRATIVE CODE**

**TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE C: LABOR RELATIONS  
CHAPTER III: ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD  
PART 1135 UNIVERSITY OF ILLINOIS BARGAINING UNITS  
SECTION 1135.10 GENERAL STATEMENT OF PURPOSE**

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**Section 1135.10 General Statement of Purpose**

This Part sets forth presumptively appropriate bargaining units for educational employees employed by the Board of Trustees of the University of Illinois. Nothing in this Part shall negate historical units created prior to January 1, 1984 or units certified by the Illinois Educational Labor Relations Board prior to the effective date of these regulations. Nothing in this Part shall be construed to supersede this Part or rights of educational employees under Section 7 of the Act. Presumptively appropriate means that a bargaining unit has been found to have the requisite community of interest under Section 7a of the Educational Labor Relations Act (the Act) [115 ILCS 5/7(a)], unless the appropriateness is rebutted by contrary evidence.

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SECTION 1135.20 PRESUMPTIVELY APPROPRIATE BARGAINING UNITS**

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**Section 1135.20 Presumptively Appropriate Bargaining Units**

- a) With respect to educational employees employed at the Urbana-Champaign campus or employed in units located outside Urbana-Champaign which report administratively to the Urbana-Champaign campus, the following units shall be presumptively appropriate for collective bargaining:
- 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured or tenure-track faculty, but excluding all faculty members of the College of Law and the College of Veterinary Medicine.
  - 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) nontenure-track faculty, but excluding all faculty members of the College of Law and the College of Veterinary Medicine.
  - 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured, tenure-track or nontenure-track faculty members of the College of Law.
  - 4) Unit 4: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured, tenure-track or nontenure-track faculty members of the College of Veterinary Medicine.
  - 5) Unit 5: All full-time non-visiting academic professionals exempted as Principal Administrative Employees from Section 36e of the State Universities Civil Service Act [110 ILCS 70/36e] who have a .50 or greater appointment in that position.
  - 6) Unit 6: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act [115 ILCS 5/2(k)] who are not exempt from the State Universities Civil Service Act.
  - 7) Unit 7: All full-time and regular part-time technical and paraprofessional employees not exempt from the State Universities Civil Service Act. A technical and paraprofessional employee is a person who performs work that is typically laboratory or field work.

- 8) Unit 8: All full-time and regular part-time non-professional administrative and clerical employees not exempt from the State Universities Civil Service Act.
  - 9) Unit 9: All full-time and regular part-time service and maintenance employees not exempt from the State Universities Civil Service Act.
- b) With respect to educational employees employed at the Chicago campus or employed in units located outside Chicago that report administratively to the Chicago campus, the following units shall be presumptively appropriate for collective bargaining:
- 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured or tenure-track faculty, but excluding all faculty members of the College of Pharmacy, the College of Medicine and the College of Dentistry.
  - 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) nontenure-track faculty, but excluding all faculty members of the College of Pharmacy, the College of Medicine and the College of Dentistry.
  - 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured, tenure-track or nontenure-track faculty members of the College of Dentistry.
  - 4) Unit 4: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured, tenure-track or nontenure-track faculty members of the College of Medicine.
  - 5) Unit 5: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured, tenure-track or nontenure-track faculty members of the College of Pharmacy.
  - 6) Unit 6: All full-time non-visiting academic professionals exempted as Principal Administrative Employees from Section 36e of the State Universities Civil Service Act who have a .50 or greater appointment in that position.
  - 7) Unit 7: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act who are not exempt from the State Universities Civil Service Act.
  - 8) Unit 8: All full-time and regular part-time technical and paraprofessional employees not exempt from the State Universities Civil Service Act.
  - 9) Unit 9: All full-time and regular part-time non-professional administrative and clerical employees not exempt from the State Universities Civil Service Act.
  - 10) Unit 10: All full-time and regular part-time service and maintenance employees not exempt from the State Universities Civil Service Act.

- c) With respect to educational employees employed at the Springfield campus or employed in units located outside Springfield that report administratively to the Springfield campus, the following units shall be presumptively appropriate for collective bargaining:
- 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured or tenure-track faculty.
  - 2) Unit 2: All full-time (i.e., employees who have a .51 or greater appointment as a faculty member) nontenure-track faculty.

(Source: Amended at 38 Ill. Reg. 8395, effective April 1, 2014)

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SECTION 1135.30 BARGAINING UNIT DETERMINATIONS**

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**Section 1135.30 Bargaining Unit Determinations**

- a) The units set forth in Section 1135.20 are presumptively appropriate. Petitions for units other than those set forth in this Part may be filed and shall be processed in accord with the regular rules of this agency concerning representation cases (80 Ill. Adm. Code 1110). Units of educational employees of the Board of Trustees of the University of Illinois other than those set forth herein shall be established only if the petitioner can show the following by clear and convincing evidence:
  - 1) that the unit is otherwise appropriate under Section 7 of the Illinois Educational Labor Relations Act;
  - 2) that special circumstances and compelling justifications make it appropriate for the Illinois Educational Labor Relations Board to establish a unit different from those set forth above;
  - 3) that establishment of a different unit will not cause undue fragmentation of bargaining units or proliferation of bargaining units. Undue fragmentation of bargaining units or proliferation of bargaining units means that the number of bargaining units is such as to threaten to interrupt services, cause labor instability, and cause continual collective bargaining and a multitude of representation proceedings.
- b) Nothing in this Part shall be construed to prohibit a representation petition combining two or more of the bargaining units set forth in Section 1135.20(a)(5), (6), (7) and (8) or Section 1135.20(b)(6), (7), (8) and (9), respectively.
- c) With respect to the bargaining units listed in Section 1135.20(a)(5), (6), (7) and (8) or Section 1135.20(b)(6), (7), (8) and (9), the individual units may be added to existing units by means of self-determination elections.
- d) Notwithstanding the above, nothing shall prevent the Illinois Educational Labor Relations Board from holding hearings concerning the specific job classifications to be included in, or excluded from, each of the units listed in Section 1135.20 and from establishing additional rules about such matters.