

**Board of Education of the City of Chicago  
Law Department**

Joseph T. Moriarty  
General Counsel

1 North Dearborn Street, Suite 900  
Chicago, IL 60602  
Telephone: (773) 553-1700  
Fax: (773) 553-1701

October 4, 2020

Robert Bloch  
Partner  
Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich  
[rbloch@laboradvocates.com](mailto:rbloch@laboradvocates.com)

Re: Arbitrator Jeanne Charles' October 2, 2020 Summary Findings and Order

Dear Mr. Bloch:

The Chicago Public Schools (CPS) is in receipt of Arbitrator Charles' Summary Findings and Order as well as your subsequent email request to set up a meeting between the parties. As CPS has discussed with the Chicago Teachers Union (CTU) throughout the course of bargaining meetings this fall, CPS complies with the applicable COVID-19 guidelines, including those of the Illinois Public Health Department, the Illinois State Board of Education, the Chicago Department of Public Health, and the Centers for Disease Control. By complying with these guidelines, CPS provides a safe and healthful environment in which its clerks, clerk assistants, and technology coordinators have been working and may continue to work.

Arbitrator Charles's ruling did not find that even a single school violated these public health guidelines, and indeed found that these particular employees could work in CPS's facilities if they were needed to do so. As a result, there is no reasoned basis for the Summary Findings and Order placing conditions that are unrelated to legitimate public health practices on the situations when these employees may work on site versus when they may work remotely. The Arbitrator's Order applies the wrong standards and the wrong burden of proof in addition to erroneously substituting her judgment for that of public health officials and their guidance, among other errors.

Nevertheless, we will continue to meet with CTU and engage in discussions regarding the presence of clerks, clerk assistants, and technology coordinators in the school buildings. To do so effectively, please provide CPS with the following information:

- Please provide a list of all functions that you agree need to be performed in person on site. The CTU has previously acknowledged that certain clerk job functions need to be performed in-person on site.
- Please provide a list of all functions, on a building-by-building basis, that you believe can feasibly be performed remotely, including a description of what supports are

needed for each school's clerks, clerk assistants and technology coordinators to be able to feasibly perform the work remotely, and verification that parents or guardians have the ability feasibly to deal remotely with school employees on all necessary issues.

- The Arbitrator has found that employees may perform in-person work on site, necessarily finding that the school buildings are not inherently unsafe for the work that is at issue by the employees at issue at this time. If you disagree, please identify each building and all support for your position, including with record citations, for each specific CPS employee you claim cannot safely work in a specific school at this time.
- Please describe the remedy you propose in response to the Arbitrator's Order as to each affected employee, including the days and functions that may be performed on site versus those that may feasibly be performed remotely.

CPS' bargaining team is available to meet with the CTU as soon as the Union provides this information, and we look forward to receiving the requested responsive information as soon as possible this week.

Sincerely,

/s/

Kaitlyn A. Girard  
Labor Relations Officer