



**CHICAGO
TEACHERS
UNION**

Jesse Sharkey
President

Stacy Davis Gates
Vice President

Christel Williams-Hayes
Recording Secretary

Maria Moreno
Financial Secretary

February 22, 2021

VIA ELECTRONIC MAIL

Ms. Mary Ernesti
Director
Office of Employee Engagement
Chicago Public Schools
42 W. Madison, 9th floor
Chicago, Illinois 60602

Re: Article 3-8
CTU on Behalf of All Affected
Bargaining Unit Members (In re: Retaliatory
Discipline for Union Activity Concerning
the Resumption of In-person Learning)
Case #21-02-080(thg/zbfb)
Subject: Including, but not limited to,
Articles 2-1 & 3

Affiliations
American Federation of
Teachers, Illinois
Federation of Teachers,
American Federation of
Labor – Congress of
Industrial Organizations,
Illinois Federation of
Labor – Congress of
Industrial Organizations,
and Chicago Federation
of Labor, Industrial
Union Council

Dear Ms. Ernesti:

In accordance with the provisions of Article 3-8 of the Collective Bargaining Agreement between the Board of Education of the City of Chicago (“Board”) and the Chicago Teachers Union (“Union”), the Union files this grievance on behalf of all affected bargaining unit members.

The Board has issued discipline notices to at least 55 bargaining unit employees in retaliation for their participation in the activities of the Union and to oppose Board’s unilateral resumption of in-person learning during the Covid-19 pandemic in January 2021 without collectively bargained safety standards.

The CBA provides, in relevant portions, as follows:

2-1. Prohibition on Discrimination. No employee shall be discriminated or retaliated against on the basis of race or ethnicity, ethnic group identification, national origin, nationality, ancestry, creed, color, age, gender or sex (including pregnancy, childbirth, breastfeeding, and pregnancy related medical condition), marital status, civil unions, legally recognized domestic partner status, military/veteran or military discharge status, disability, or actual or perceived sexual orientation, gender identity or expression, religion, parental status, immigration status, genetic information, refusal to submit to a genetic test or make available the results of a genetic test, or political belief or affiliation (not union related); the utilization of benefits authorized by this Agreement or BOARD policy; membership or participation in, or association with the activities of, the UNION; filing grievances or resolving grievances and professional problems; or participation in any committee, council or group, including but not limited to, the Professional Personnel Leadership Committee, Professional Problems Committee or Local School Council.

Between January 4, 2021 and the present, the Board has issued pre-discipline meeting notices to at least 55 bargaining unit employees alleging, in various spurious and pretextual ways, that they violated Board policy by publicly supporting, speaking out about, and advocating for the Union’s demands for a collectively bargained agreement concerning the safe resumption of in-person learning.

During the same time period, the Board initiated investigations into an additional 59 bargaining unit employees on essentially identical underlying facts, but elected not to proceed with discipline in any of them. This is classic disparate treatment, and by itself requires the rescission of all disciplinary action in each of the 55 cases.

In light of the foregoing, the Union demands that the Board:

- 1) Rescinds all of the above-referenced disciplinary notices and action; and
- 2) Takes all actions necessary to make the affected bargaining unit employees whole for all losses incurred due to the Board's above described contract violations.

Your assistance in this matter as stipulated in Article 3-8 is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Jesse Sharkey".

Jesse Sharkey
President