



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S LA SALLE ST STE 900
CHICAGO, IL 60604-1443

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341

March 25, 2013

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CHICAGO MATHEMATICS & SCIENCE
ACADEMY CHARTER SCHOOL, INC.
7212 N CLARK ST
CHICAGO, IL 60626-2416

Re: Chicago Mathematics & Science Academy
Case 13-RM-001768

Dear ██████████

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully considered.

Decision to Dismiss: I find that further proceedings on this petition are unwarranted based on the disclaimer of interest filed by the involved labor organization. Chicago Mathematics & Science Academy Charter School, Incorporated (CMSA) filed the instant matter on July 29, 2010 after Chicago Alliance of Charter Teachers and Staff, IFT, AFT, AFL-CIO (Union) filed a majority interest representation petition with the Illinois Educational Labor Relations Board (IELRB) seeking to represent a unit of CMSA's employees. Following a hearing held on August 12, 2010, before a hearing officer of the National Labor Relations Board, the Acting Regional Director issued a Decision and Order dismissing the instant matter, finding that CMSA is a political subdivision of the State of Illinois within the meaning of Section 2(2) of the Act and therefore is exempt from NLRB jurisdiction. On December 14, 2012, in a Decision on Review and Order, the Board found that CMSA is an employer within the meaning of Section 2(2) of the Act and remanded the case to the Region for further appropriate action. A Supplemental Decision and Direction of Election issued on February 12, 2013, and an election was scheduled for March 14, 2013.

Prior to the instant NLRB petition, the IELRB asserted jurisdiction over CMSA and in November 2010, in Case 2010-RC-0016, certified the Union as the exclusive bargaining representative of the employees involved in the instant NLRB petition. In April 2012, a decertification petition was filed at the IELRB seeking to decertify the Union under the IELRA. The Union subsequently filed Case No. 2010-CA-0074-C at the IELRB alleging a refusal to

bargain in good faith. On February 20, 2013, the IELRB issued a Complaint and Notice of Hearing in that matter alleging that CMSA violated Sections 14(a)(5) and (a)(1) of the IELRA for failing to bargain in good faith.

On March 13, 2013, the Union notified the NLRB Region 13 that it disclaimed any right to represent employees involved in the instant petition. Also on March 13, 2013 and again on March 19, 2013, the Union withdrew IELRB Case No. 2010-CA-0074-C and disclaimed any right to represent the employees in the unit certified by the IELRB in Case 2010-RC-0016-C. On March 22, 2013, the IELRB issued an order revoking the Union's certification in Case 201-RC-0016-C.

In conclusion, the Union has disclaimed interest in representing the employees in the instant petition and is not involved in any inconsistent action with its disclaimer. Accordingly, I am dismissing the petition in this matter because the Union has disclaimed interest and there is no longer a question concerning representation.

Right to Request Review: Pursuant to Section 102.67 of the National Labor Relations Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570-0001. The request for review must contain a complete statement of the facts and reasons on which it is based.

Procedures for Filing Request for Review: A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (**5 p.m. Eastern Time**) on [April 8, 2013, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is **accomplished by no later than 11:59 p.m. Eastern Time** on April 8, 2013.

Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically. Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the Efiling system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of

such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

Very truly yours,

Arly Eggertsen
Acting Regional Director

cc OFFICE OF THE EXECUTIVE SECRETARY
FRANKLIN COURT BUILDING
NATIONAL LABOR RELATIONS BOARD
1099 14TH STREET, NW
WASHINGTON, DC 20570


CLARK BAIRD SMITH, LLP
6133 N RIVER RD
STE 1120
ROSEMONT, IL 60018-5177

CHICAGO MATHEMATICS & SCIENCE
ACADEMY
7212 N CLARK ST
CHICAGO, IL 60626-2416


CORNFIELD AND FELDMAN
25 E. Washington Street
STE 1400
CHICAGO, IL 60602-1803

CHICAGO ALLIANCE OF CHARTER
TEACHERS & STAFF, IFT, AFT, AFL-CIO
1400 W HUBBARD ST
STE 230
CHICAGO, IL 60642-8195