

**STATE OF ILLINOIS  
ILLINOIS LABOR RELATIONS BOARD  
LOCAL PANEL**

Arlency Pitts,	)	
	)	
Charging Party	)	
	)	
and	)	Case No. L-CB-10-018
	)	
Chicago Fire Fighters Union, Local 2,	)	
	)	
Respondent	)	

**DECISION AND ORDER OF THE ILLINOIS LABOR RELATIONS BOARD  
LOCAL PANEL**

On March 15, 2011, Executive Director John F. Brosnan dismissed the unfair labor practice charge filed by Arlency Pitts (Charging Party) in the above-captioned case, finding that charge was untimely filed. The Charging Party alleged that the Chicago Fire Fighters Union, Local 2 (Respondent) engaged in unfair labor practices within the meaning of Section 10(b) of the Illinois Public Labor Relations Act, 5 ILCS 315 (2010), as amended (Act), when its president objected to the City of Chicago's extension of a deadline to sign up for a promotion examination, causing the City to withdraw its extension and causing Charging Party and dozens of other firefighters to lose the extended period to sign up for the examination.

The Charging Party filed a timely appeal of the Executive Director's dismissal pursuant to Section 1200.135(a) of the Board's Rules and Regulations, 80 Ill. Admin. Code §1200.135(a). The Respondent filed no response.

After reviewing the record and appeal, we uphold the Executive Director's dismissal. Charging Party knew, or reasonably should have known, of the Respondent's allegedly unlawful conduct no later than May 21, 2009, when he was denied an appointment date for the

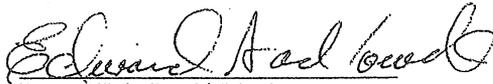
examination, yet he did not file his charge until nearly eight months later, on January 15, 2010. Section 11(a) of the Act requires charges be filed within six months.<sup>1</sup> While the union filed a grievance over the withdrawal of the deadline extension, and the grievance was finally resolved less than six months before Charging Party filed his charge, the filing of a grievance does not ordinarily toll the deadline for filing a charge. Moore v. Ill. State Labor Relations Bd., 206 Ill. App. 3d 327, 337 (4th Dist. 1990).

For these reasons, we uphold the Executive Director's dismissal.

BY THE LOCAL PANEL OF THE ILLINOIS LABOR RELATIONS BOARD

  
Robert M. Gierut, Chairman

  
Charles E. Anderson, Member

  
Edward E. Sadlowski, Member

Decision made at the Local Panel's public meeting in Chicago, Illinois, on September 13, 2011; written decision issued at Chicago, Illinois, September 23, 2011.

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<sup>1</sup> Section 11(a) provides, in relevant part: "no complaint shall issue based upon any unfair labor practice occurring more than six months prior to the filing of a charge with the Board and the service of a copy thereof upon the person against whom the charge is made, unless the person aggrieved thereby did not reasonably have knowledge of the alleged unfair labor practice or was prevented from filing such a charge by reason of service in the armed forces, in which event the six month period shall be computed from the date of his discharge."

