Illinois Federation of Teachers
A Union of Professionals
www.ift-aft.org

Stacy Davis Gates
President
Cyndi Oberle-Dahm
Executive Vice President
Pankaj Sharma
Secretary-Treasurer
John Miller
Membership Secretary

IFT Headquarters
500 Oakmont Lane
Westmont, IL 60559
T 630/468-4080
F 630/468-4089

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To: Campus Faculty Association Organizers
From: Nicholas Christen, IFT General Counsel
Re: Confidentiality of CFA Authorization Cards

I understand that some faculty, particularly international faculty, have asked whether signing a CFA authorization card could create a government record connecting their name to the Union, and whether that information could later be found by USCIS, ICE, CBP, or another immigration agency.

The answer is **no**. Signing a CFA authorization card does not create a public record or a searchable government list of CFA supporters.

Authorization cards are collected and maintained by the Union. CFA and the Illinois Federation of Teachers are private labor organizations, not governmental bodies subject to the Illinois Freedom of Information Act. The Union will not provide its authorization cards, or a list of card signers, to the University. Nor can someone obtain those records from CFA or IFT by filing a FOIA request. See 5 ILCS 140/2(a).

If CFA files for recognition with the Illinois Educational Labor Relations Board, Illinois law expressly protects the cards from disclosure. Section 7(c-5) of the Illinois Educational Labor Relations Act provides that all evidence submitted by a union to establish an employee's choice of representative "is confidential and shall not be submitted to the employer for review." 115 ILCS 5/7(c-5). The Board's rules likewise require it to "maintain the confidentiality of the showing of interest" and provide that the evidence "shall not be furnished to any of the parties." 80 Ill. Adm. Code 1110.80(f).

The process with the Illinois Educational Labor Relations Board is straightforward. CFA submits its authorization cards confidentially to the Board. Separately, the University provides the Board with a list of employees in the proposed bargaining unit and examples of their signatures. The Board then determines whether CFA has demonstrated majority support. The University does not inspect the cards and does not receive a list identifying who signed them. 80 Ill. Adm. Code 1110.105(b)-(e). The Board does not create a list of who signed.

The fact that the Labor Board is a State agency does not make the cards public. Illinois FOIA expressly exempts information that State law prohibits from disclosure, and the IELRA expressly makes this information confidential. 5 ILCS 140/7(1)(a); 115 ILCS 5/7(c-5).

Most importantly for international faculty: USCIS, ICE, or CBP does not receive CFA's authorization cards or a list of the people who signed them. There is no public IELRB database or representation record that an immigration officer can search by an employee's name to determine whether that employee signed a CFA card. The public result of the process is whether CFA is certified to represent the bargaining unit, not the identities of the individual employees who supported the Union.

In short, the Union keeps card-signing information confidential; the University does not receive it; it cannot be obtained from the Union through FOIA; and filing with the IELRB does not create a public or immigration-accessible list of CFA supporters.