



LEGISLATIVE UPDATE

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The Illinois House wrapped up its business for the week yesterday, while the Senate was not in session this week. The House deadline for introduction of new bills is today. Both chambers will return on Tuesday, March 3. The deadline to pass House and Senate bills out of committees in originating chamber is Friday, March 27. We will continue to update our affiliates of any key legislation being introduced.

GENERAL ASSEMBLY

Illinois Labor Community Comes Together to Lobby against Right to Work

Labor leaders from around the state converge on Springfield to fight back against Rauner attacks

Governor Bruce Rauner has made a habit of speaking to groups about his need to create Illinois “right to work” zones. He believes that suppressing public and private sector unions will magically help him balance the state’s budget. He has also proposed to cut services for the poor to balance his budget. He has not yet proposed any sacrifices for his wealthy friends.

In light of Governor Rauner’s attacks and the assaults occurring in Wisconsin, labor leaders and lobbyists in Illinois took a proactive approach and began speaking to House members this week about what right to work would mean for Illinois’ residents. The lobbying discussions by our group went very well; many House Republicans were very concerned on this issue. Some of them do not support right to work, but they also fear the new bully in chief, Governor Rauner. We thank those House Democrats that are standing with us. The Senate was not in session this week, and we will discuss the issue with them at a later time.

Late today, Representative Phillips (R-Charleston) introduced **HB 4139**. This bill creates the Right to Work Act. Provides that a person may not be required to join or contribute to a labor organization as a condition of employment. Provides that violations of the Act constitute a Class A misdemeanor. Authorizes injunctive relief. Authorizes a private right of action for damages. Provides that the Attorney General shall enforce the Act. Amends the Illinois Public Labor Relations Act and the Illinois Educational Labor Relations Act. Provides that employees have the right not to become or remain a member of a labor organization, or to pay any dues, fees, assessments, or other similar charges to a labor organization, Eliminates provisions authorizing fair share agreements. Amends the Illinois State Comptroller Act, and the Illinois State Auditing Act to make related changes. Effective immediately.

Bills of Interest this week:

HB 404 (Acevedo) - Amends the Metropolitan Water Reclamation District Act. Provides that any person who is legally authorized to work in the United States may be employed under contracts for work to be done with the District. Passed House Executive 11-0-0. Second Reading.

HR 35 (Hoffman) - Finds that enforcement of the Employment of Illinois Workers on Public Works Act furthers a compelling State interest and directs the Illinois Department of Labor to enforce the Act. Passed House Labor 24-0. To the floor.

Illinois AFL-CIO initiatives for 2015

We have introduced legislation this year that we hope to have success in passing:

- **SB 1755** (Biss) - Requiring employers who outsource their call center jobs to report it to the Treasurer's office – also requires them to pay back any state tax incentives.
- **HB 373** (Jackson) – Requires the Governor's Office of Boards and Commissions to create a list serv for posting of any meetings held by their boards or commissions. Further requires one central location to post agendas.
- **HB 3438** (Smiddy) – Requires state vehicles to be manufactured in North America.

We have joined together with the Laborers' Midwest Region and the Illinois Trial Lawyers to introduce a 2015 Workers' Compensation Package. Here is a synopsis of the language:

1. **HR 172** (Hoffman) Workers' Compensation Resolution—Recognizes the “grand bargain” that was made between labor and employers over 100 years ago. Resolves that injured workers should not be confronted with additional workers' compensation benefit reductions.
2. **HR 219** (Hoffman) Workers' Compensation Premium Rates Task Force—Recognizes the recommended premium rate reductions from the National Council on Compensation Insurance (NCCI) since 2011, and creates a balanced Task Force to examine the actual premium rates that employers are experiencing, and the extent to which those rates reflect NCCI recommended rates.
3. **SB 1951** (Mulroe) Remove FOIA Exemption for Self-Insured Employers—the FOIA currently provides a proprietary exemption from disclosure of certain data that self-insured employers report to the Workers' Compensation Commission regarding indemnity and medical claims. This bill would remove that exemption, allowing light to be shined upon self-insured's claims experiences.
4. **HB 2552** (Fine) State Workers' Compensation Pool—Creates an insurance pool operated by the State of Illinois, with the intent to ensure that employers have access to competitive workers' compensation premium rates. This bill is modeled after those that have experienced success in other states.
5. **HB 2715** (Jones) Safety and Return-to-Work Programs—Creates premium incentives for insured employers and fee waivers for self-insured employers if they create and are certified as having a bona fide safety program or return-to-work program.
6. **HB 3467** (Hernandez) Uninsured Employers—Allows inter-fund transfers from the Workers' Compensation Commission's Operations Fund, Rate Adjustment Fund, Settlement Fund, and the Second Injury fund in the event that Injured Workers' Benefit Fund experiences insufficient funding to pay associated claims. Prescribes payment schedule in cases of death or Permanent Total Disability, and creates a rebuttable presumption for proof that an employer was insured or was not insured in determining whether or not the employer “knowingly” failed to comply with mandatory insurance requirements.
7. **SB 1812** (Martinez) Staffing Agencies—Excludes “staffing agencies” from the exclusive remedy provisions of the Workers' Compensation Act.
8. **SB 1499** (Manar) “Hours Worked” as premium basis—Current premium calculations are based upon total payroll, and do not accurately reflect the actual risk associated with the work performed. This bill would change the calculation to an “hours worked” basis in order to lower premiums.