



LEGISLATIVE UPDATE

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MICHAEL T. CARRIGAN, PRESIDENT

TIMOTHY E. DREA, SECRETARY TREASURER

JASON KELLER, LEGISLATIVE DIRECTOR

The Illinois General Assembly concluded its business yesterday. Both chambers will return on Tuesday, March 10 at 12pm. There are three weeks for legislators to pass their bills out of committee in the originating chamber. House and Senate appropriations committees continue to meet. Representative Tim Butler (R – Springfield) was sworn in this week, replacing former State Representative Rich Brauer. In the ongoing fight to protect working families from overreaching anti-employee initiatives, Senator Gary Forby, chair of the Senate Labor Committee, sent a letter this week to Attorney General Lisa Madigan to inquire about the constitutionality of local governments enacting right-to-work zones and opting out of the Prevailing Wage Act.

GENERAL ASSEMBLY

WORKING FAMILIES DEFEND THEIR RIGHTS AGAINST RAUNER ATTACKS

Illinois AFL-CIO and affiliates file suit in state and federal courts

The Illinois AFL-CIO and 26 unions that represent more than 40,000 Illinois state employees filed suit in circuit court to invalidate Gov. Bruce Rauner’s unlawful executive order that violates state law and multiple collective bargaining agreements by blocking state agencies from complying with the fair share provisions of those agreements.

“The men and women who do the real work of state government are first responders, nurses, caregivers and corrections officers. They plow snow, protect children, care for veterans and do many other tough, essential jobs that benefit all Illinois residents,” Illinois AFL-CIO president Michael T. Carrigan said. “Governor Rauner’s political obsession with stripping their rights and driving down their wages demeans their service, hurts the middle class and is blatantly illegal. We’re asking the court to restore the integrity of our democratic process and make clear that no one, not Governor Rauner or anyone else, can place themselves above the law.”

The court filings follow earlier statements from Illinois Comptroller Leslie Munger, a Republican, and Attorney General Lisa Madigan, a Democrat, who say that Gov. Rauner’s order is illegal. Fair share agreements are authorized by the Illinois Public Labor Relations Act—which was signed into law by Republican Gov. Jim Thompson in 1983—and included in each of the state’s contracts with each of the unions in question.

The unions’ Circuit Court complaint says the Governor’s order violates state government’s separation of powers. “Rauner has usurped the constitutional power of the legislative branch by promulgating an Executive Order that effectively repeals a duly passed Public Act [and] has unlawfully exercised the executive power vested in the Governor,” the litigation states. “The executive power is the power to faithfully execute the

laws enacted through the legislative process, not to refuse to implement the laws that have been properly enacted by the State.”

Gov. Rauner has falsely claimed that his order makes workers more “free.” In reality, contrary to the governor’s frequent misstatements, no employee is required to join any union. Instead, fair share agreements provide that a union-represented employee who chooses not to join and pay dues is obligated only to pay a proportional fair share of the cost of negotiating and administering the union contract from which they benefit. (Also contrary to the governor’s statements, by law, fair share excludes political contributions.)

The governor’s own rhetoric and the language of the executive order itself make clear that his true intent is to drive down the wages earned by first responders, teachers, nurses, corrections officers, child protection workers, and other state employees by weakening their unions.

“Governor Bruce Rauner believes state employees are overpaid and receive excessive benefits for their public service. He wants to cut their wages and benefits,” the lawsuit states. “The Executive Order is expressly intended to prevent ‘Illinois state employee unions’ from ‘using ... fair share fees to ... influence ... wages, pensions and benefits, that are currently mandatory subjects of collective bargaining under the Illinois Labor Act.’”

The Illinois AFL-CIO also filed a motion to dismiss Gov. Rauner’s related lawsuit in federal court, pointing out that a state court is the appropriate venue to enforce state law.

The lawsuits, motions and Forby letter can be found here: www.ilaf-cio.org/press.htm



Capital Development Board Strips PLA's from Projects

In communications from the Illinois Capital Development Board to the Illinois AFL-CIO, it was stated: "Eight CDB projects were recently advertised to bid on the CDB website. They had each been previously approved for Project Labor Agreements (PLA) by CDB and the AFL-CIO PLA Committee. Please be advised that a decision has been made to issue an addendum to each of these bids removing the PLA. Additionally, CDB has approximately 140 projects previously approved for a PLA by the PLA Committee that have yet to bid. As these projects finish design and go to bid, be advised that they will not be advertised as having a PLA. "

Bills/Resolutions that moved this week:

HB 228 (Franks/Connelly) - Provides that until 4 years after the effective date of the amendatory Act, the General Assembly shall not enact any law creating any new unit of local government, including, but not limited to, the division of existing units of local government. Provides that the amendatory Act does not apply to the creation of a new unit of local government from the consolidation of 2 or more pre-existing units of local government. **Passed House 111-2.**

HB 373 (Jackson) Illinois AFL-CIO initiative - Requires the Governor's Office of Boards and Commissions to establish and maintain on the Internet: (1) a centralized location for an electronic mail listserv for users to receive notices of the meetings of each board and commission and their agendas; and (2) a listing of the meetings times and agendas for each board and commission. Provides that the Office shall provide and post that information at least 48 hours before each meeting. **Passed House State Government 14-0. Second Reading.**

HB 1378 (Sosnowski) - Allows the school board of a school district with fewer than 200 students to enter into a contract with a third party for non-instructional services currently performed by an employee or bargaining unit member or lay off those educational support personnel employees upon 90 days written notice to the affected employees (instead of allowing the contract only if certain conditions are met with

respect to that contract). **Labor opposes. Passed House Elementary & Secondary Education: Licensing Oversight 5-0. Second Reading.**

HJR 28 (Sims) - Urges the President of the United States, the Secretary of the United States Department of Labor, the Office of Federal Contract Compliance Programs, and the members of Congress to update the regulations implementing Executive Order 11246, including the minority utilization goals. Urges the United States Department of Labor Office of Federal Contract Compliance Programs to issue a Notice of Proposed Rulemaking providing guidance and regulations for implementation of Executive Order 11246, which accurately reflect the current state of the United States workforce. **Passed House Labor 26-0. To the floor.**

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. **Labor supports. Passed the House by voice vote this week.**

HR 216 (Verschoore) – Honors Bob Lawless who retired as Business Manager of Steamfitters Local 353 on February 1, 2015 after 46 years of dedicated service. **Adopted by House.**

Union Sportsmen's Alliance Conservation Dinner



The 3rd Annual Illinois Union Sportsman Alliance (USA) Conservation Dinner on Monday evening was a huge success. The conservation dinner was hosted by Rocco Terranova and Sheetmetal Workers (SMART) Local 73 in Hillside. Increased ticket sales along with the auctioneering talents of Tom Villanova, President of the Chicago & Cook County Building & Construction Trades Council, made the dinner one the most successful dinners ever for the USA.

Pictured is special guest Fred Myers, USA Executive Director