



# LEGISLATIVE UPDATE

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*The Illinois House was the only chamber in session this week. They voted on a workers' compensation reform package. Governor Rauner continues to press for his reforms that would force injured workers to rely on welfare and to go to emergency rooms for treatment. The House also held a subject matter hearing on Governor Rauner's education "super star", Beth Purvis, who makes \$250,000 – which is paid out of the Human Services budget. Democrats objected to the money for her salary coming out of a budget that was being cut by Governor Rauner. Both chambers are scheduled to return on Tuesday, June 9th. The Senate is scheduled to hold a committee of the whole on Governor Rauner's proposal to freeze property tax funding for local governments and school districts. The House has not released their agenda for that day, however, the Rules Committee assigned four revenue shell bills to the House Revenue Committee on Thursday.*

## GENERAL ASSEMBLY

### House Votes on Workers' Compensation Bills

Speaker Madigan facilitated votes on several proposals on workers' compensation. Amendments #1-4 were voted on earlier in May, while amendments #5-7 were voted on yesterday.

- **Amendment #1** - Provides that an injury is deemed to arise out of and in the course of employment only if it is reasonably apparent, upon consideration of all circumstances, that the accident is the major contributing cause of the injury and it does not come from a hazard or risk unrelated to the employment to which employees would have been equally exposed outside of the employment. Provides that an injury resulting directly or indirectly from idiopathic causes is not compensable. *Labor opposed – Failed in the House 0-69-38*
- **Amendment #2** - Provides that one of the factors upon which the Illinois Workers' Compensation Commission shall base its determination of the level of permanent partial disability shall be evidence of disability corroborated by objective findings in the treating medical records and independent medical examinations (rather than evidence of disability corroborated by the treating medical records). Deletes a provision that no single factor shall be the sole determinant of disability. *Labor opposed – Failed in House 0-69-38*
- **Amendment #3** – Would decrease the medical fee reimbursement for comp cases below what Medicare pays physicians. Would result in doctors not treating injured workers. *Labor opposed – Failed in House 0-69-37*
- **Amendment #4** – Would establish a review process for workers' compensation insurance rates. *Labor supports – Amendment adopted by House 68-0-39.*
- **Amendment #5** - Codifies the Venture-Newberg Perini, Stone and Webster v. Illinois Workers' Compensation Commission decision. Travel must be required or directed by employer or the course or method of travel must be determined by the employer. Also codifies Sisbro Inc v. Industrial Commission. "Arising out of" means the injury had its origin in some risk connected with, or incidental to, the employment so as to create a causal connection between the employment and the accidental injury. *Labor took no position – Amendment adopted 63-39-4.*
- **Amendment #6** - Prohibits insurers from using repetitive injuries that occurred within 3 months of the start of employment to determine premiums. Allows the last employer responsible for providing workers' compensation to seek contributions from prior employers to the extent they contributed to an employee's injury. The right to contribution or reimbursement shall not delay, diminish, restrict, or alter in any way the benefits to which the employee or dependents are entitled. *Labor took no position – Amendment adopted 63-39-4.*
- **Amendment #7** - The Department of Insurance shall annually submit to the Governor, Chairman of the Commission, and the General Assembly a written report that details the state of self-insurance for workers' compensation in Illinois. Creates task force to study the National Council on Compensation Insurance's (NCCI) recommendations for workers' compensation premium rates and the extent to which Illinois employers' actual premiums reflect these recommended rates. *Labor took no position - Adopted by the House 62-40-4.*

HB 1287, with all the amendments adopted, passed the House 63-39-4. The bill will now go to the Senate for consideration.

## Governor's Turnaround Agenda continues to hit Road Blocks in Local Governments

In El Paso, Illinois, a resolution to adopt a non-binding Right to Work resolution was tabled on June 1st. It is anticipated that the issue will be brought back up at their next meeting on June 15th. Also, in the City of Chicago Heights, the Governor's Turnaround Agenda Resolution was soundly defeated.

In Effingham, the Turnaround Agenda Resolution was up for discussion. Powerful testimony was given by union member Dexter Sloan. During his speech, he told the Council that he had become a union member. Here is a portion of the news story from the Effingham Daily News:

*Dexter Sloan spoke about what his life was like before he joined a union four years ago. "I started from the bottom," he told the council. "I started at \$5 an hour. I busted my butt every day - eight to 10 hours a day - and getting nowhere." Sloan was working two jobs just to get by. And getting by, he said, was all he could do.*

*Almost five years ago, my firstborn son had a brain aneurysm and died in my arms — because I didn't have insurance," Sloan said. "That's when I left and went union."*

*Since joining, he's gotten better wages, better training, and benefits he never had before. "I can provide for my family now," Sloan said.*

*Upon finishing his address to the council, a thunderous applause came from other union workers at the meeting. A handful of others would also officially address the council. ("Union workers oppose right-to-work", Effingham Daily News, June 3, 2015)*

The battle continues, though. The LaSalle County Board will consider a Pro-Middle Class Resolution at their meeting on June 9th in Ottawa. The City of El Paso will take back up the Governor's Turnaround Agenda Resolution at their next meeting on June 15th. And the City of Effingham is anticipated to take final action on the Governor's Turnaround agenda at their next meeting on June 16th.

## UMWA International Secretary Treasurer to speak at Mother Jones Monument Rededication Ceremony



Dan Kane, UMWA

Dan Kane, International Secretary Treasurer of the United Mine Workers of America, will be the keynote speaker at the Mother Jones Monument rededication ceremony scheduled for June 20 in Mt. Olive, Illinois. The speaker will be part of an agenda celebrating the completion of the monument restoration and improvements to the cemetery. Organizers worked for 18 months to collect more than \$70,000 for the project and received a matching grant of \$43,000 from the Illinois Department of Commerce & Economic Opportunity office of Tourism. Partners in the project included the Union Miners Cemetery Board, Illinois AFL-CIO, State Senator Andy Manar, Illinois Labor History Society, Mother Jones Foundation and the United Mine Workers of America.

In addition to funds used to enhance the final resting place of Mother Jones, union volunteers provided more than \$12,000 in donated labor and equipment. This includes 9 members of Bricklayers Local 8 who professionally cleaned and caulked the monument prior to the restoration of the statues and plaques.

The Union Miners' Cemetery Board would like to invite everyone to attend the Mother Jones Monument Rededication Ceremony on Saturday, June 20 at 10 AM at the Union Miners' Cemetery in Mt. Olive, IL. The program will also include music by folksingers Bucky Halker and Chris Vallillo, interpretive Mother Jones actress Margaret Orner, speakers Andy Manar and Michael Carrigan, refreshments, and brothers and sisters in solidarity. The event is free and open to the public and is a part of the Mt. Olive 150th Sesquicentennial celebration (June 17-21).

The committee is still accepting donations and all gifts of \$500 or more will be etched into a permanent stone at the site. Mail checks to: Mother Jones Monument Fund, c/o Illinois AFL-CIO  
534 S. Second St., Springfield, IL 62701.



## Governor Rauner Can't Manage a Budget - Prepares to Cut Services

### *Initial Steps to cut \$400 Million*

House Speaker Mike Madigan, Senate President John Cullerton and their caucuses passed a budget for the 2016 fiscal year beginning July 1. Governor Rauner introduced a budget in February that was unbalanced by several billion dollars. Since taking office, Governor Rauner has gone around the state talking about right to work and his agenda to hurt working families. He forgot about his responsibility of crafting and working on a budget. And now instead of actually working on it, he wants to make cuts. Outlined below are steps that Rauner initiated on Tuesday in order to begin hurting the elderly, poor, and working families. Many additional steps will be announced as they are finalized.

#### Department of Commerce and Economic Opportunity

- **Action Initiated** - Prepare and provide notice for the July 1 suspension of the State Low Income Home Energy Assistance Program (SLIHEAP). This provides utility assistance for our state's most vulnerable citizens. The federal portion of the program, funded at about \$170 million, will continue. Effective Immediately
- Immediate suspension of all future incentive offers to companies for business attraction and retention. This includes EDGE Tax Credits, Large Business Attraction Grants, Employer Training Investment Program Incentive Grants and Prime Sites Grants.
- Will defer application approvals for film tax credits and High Impact Business designations.
- All commitments previously made in any of these programs will be honored.

#### Department of Transportation

- **Effective Immediately** - In light of the Governor's inability to manage a budget, the Illiana Expressway will not move forward at this time. As a result, the Illinois Department of Transportation will remove the project from its current multi-year plan. It is the determination of IDOT that the project costs exceed currently available resources. The Department will begin the process of suspending all existing project contracts and procurements.
- **Action Initiated** - Beginning July 1, the Department will "ground" all state plane passenger service. Planes will be maintained and available for emergency services.

#### Department of Juvenile Justice

- **Action Initiated** - Begin the process of identifying one or two juvenile correctional facilities for closure.

- Juvenile system has a surplus of capacity. Capacity at approximately 1,200 beds, with less than 700 occupied.

#### Department of Corrections

- **Action Initiated** - Begin the process of closing the Hardin County Work Camp. Approximately 180 inmates will be moved. Approximately 60 Work Camp staff affected

#### Department of Healthcare and Family Services

- **Action Initiated** - Implement an audit review of nursing home reimbursements to ensure payments comply with recently implemented new rate structure.
- Recover overpayments to nursing homes and implement financial penalties for improper billings.

#### Illinois State Police

- **Action Initiated** - Immediately freeze all vehicle purchases.

#### Department on Aging

- **Action Initiated** - File emergency rules to enact means testing to Aging's Community Care Program. No income limit currently exists.
- Increase the Determination of Need (DON) Score required to obtain services through Aging's Community Care Program

#### Department of Human Services

- **Action Initiated** - DHS will pursue cost control strategies through emergency rules to the Childcare Program: Increase copays for parents using the program; and Freeze intake and create waiting lists.
- DHS will also begin background checks for relatives providing child care. Background checks are currently required for child care licensed centers, group homes and non-relatives who provide care.

#### Department of Natural Resources

- **Action Initiated** - The Department will not award Open Space Land Acquisition Development Grants in FY16.
- The Department will begin the process to suspend operations and close the five state museums to visitors. The state will continue to maintain and secure the museums to protect the artifacts and exhibits.