



LEGISLATIVE UPDATE

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PUBLISHED FOR LABOR ACTIVISTS BY THE ILLINOIS AFL-CIO

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The Illinois General Assembly has concluded its business this week. Both chambers will re-convene at 12pm on Tuesday, May 14. The House is scheduled to remain in through Friday, May 17. The Senate is scheduled to be in session every day from May 14-24. Both chambers cleared the deadline by which to pass bills from the opposite chamber out of committee. The House and Senate head toward final action on bills in the next three weeks.

GENERAL ASSEMBLY

Pension Agreed Bill Passes Senate With Bipartisan Support

Pension legislation developed by the We Are One Coalition with Senate President John Cullerton (D-Chicago) and co-sponsored by Senator Linda Holmes (D-Aurora) passed the Senate on a 40-16 with four Republicans joining 36 Democrats in supporting the measure.

Senate Bill 2404 now moves to the House, where a Labor-opposed pension bill (SB 1) passed by a slim margin recently.

SB 2404, sponsored by Jay Hoffman (D-Collinsville) in the House, contains provisions to guarantee funding so that the state cannot short or skip payments; creates a stabilization fund for supplemental payments into pension programs; and restores stability to the pensions through a system of choices given to current and future retirees.

These choices are the key to the constitutionality of the bill. The Labor-opposed bill (SB 1) the House passed mandates deep pension cuts, clearly running afoul of the Illinois Constitution that states pension benefits shall not be diminished or impaired. The choices concern Cost of Living Allowance and health care choices that public employees and retirees will make to achieve savings for the state's pensions.

"While the state's public employees and retirees have not caused the pension funding shortfall, they understand that they have to be part of the solution," said Illinois AFL-CIO President Michael T. Carrigan to the Senate Executive Committee on Wednesday. "Part of that solution has to come with a guarantee of funding so the state does not fall back into the same habits over the course of many years that created the problem we face today."

The fate of SB 2404 is uncertain, as the competing bills are now in opposite chambers.

"Senate Bill 2404 is the result of a long and difficult process," Carrigan said. "This is the final, bottom line product of much negotiation and productive discourse. The public employees of this state – including the people that teach our kids, protect us from harm and guard our prisons – have been sacrificing all along to have a decent retirement. They are sacrificing more to help fix a problem they didn't create."

Other significant legislation acted upon includes:

- **HB 1** (Lang/Haine) - HB 1 would create a highly regulated, very limited four-year medical cannabis pilot program. Patients with specified debilitating conditions and a Department of Public Health-issued registry identification card could possess a limited amount of cannabis for their medical use. Patients could also designate someone to pick up their medicine for them, a caregiver who would also have to register with the state and pass a background check. Patients and caregivers could not cultivate the cannabis, and instead would obtain it from one of up to 60 highly regulated dispensing organizations. Those dispensaries would in turn obtain the cannabis and edible products with cannabis from one of up to 22 cultivation centers. *Passed Senate Executive 10-5. Labor supports.*
- **HB 140** (Franks/Duffy) – After the effective date of the act, prohibits any newly appointed members to the RTA Board, Suburban Bus Board and Chicago Transit Authority Board from accumulating pension credits under SERS and any other Illinois Pension system. *Passed Senate Licensed Activities & Pensions 8-0. Second Reading. Labor has No Position.*
- **HB 922** (Hurley/J Cullerton) - Amends the Prevailing Wage Act. Provides that

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contractors and subcontractors shall make and keep for a period of not less than 10, currently 3, years from the date of the last payment on a contract or subcontract for public works records of all workers employed on the project. Provides that a public body must keep for 10, currently 3, years certain payroll records. Provides that the relevant period for consideration by the Department of Labor of multiple violations shall be 10, rather than 5, years. *Passed House 66-51-0. Assigned Senate Labor.*

- **HB 1849** (Bost/Manar) - This bill would allow a mine safety examiner to call in safety inspection reports from underground via telephone. Current practice requires the examiners to come topside to file their report in person. This practice avoids any miscommunication and safety problems. This proposal has come before the coal Mine Safety Board numerous times. The board has declined to vote on such an idea. *The Mineworkers and AFL-CIO are opposed to this bill. Passed Senate Licensed Activities & Pensions Committee 8-0. Second Reading.*
- **HB 2590** (Sandack/LaHood) - Creates the Workplace Violence Prevention Act. Contains a purpose statement and defines terms. Provides that an employer may seek an order of protection to prohibit further violence or threats of violence by a person if: (1) the employee has suffered unlawful violence or a credible threat of violence from the person; and (2) the unlawful violence has been carried out at the employee's place of work or the credible threat of violence can reasonably be constructed to be carried out at the employee's place of work by the person. *Passed Senate Labor & Commerce 10-0. Second Reading. Labor took no position.*
- **HB 3223** (Beiser/Frerichs) – Amends the Illinois Prevailing Wage Act to improve compliant investigation and enforcement. Promotes efficient government and expedites the payment of back wages to workers who are underpaid by contractors. Requires contractors to file the hourly overtime wage rate and the annualized hourly benefit rates; the name and address of the fringe benefit funds, and the fringe benefit fund sponsor and administrator. *Passed Senate Labor 9-4, Second Reading. Labor supports.*
- **HB 3227** (Crespo/Koehler) – Creates the Illinois Health Care Exchange. Sets up a state run health care marketplace for small businesses and individuals. Phases out the current federal-state

exchange partnership and gives Illinois full control by October 1, 2014. Directs the Dept. of Insurance to evaluate and recommend coverage plans in the exchange. Creates an 11-member governing board appointed by the Governor. Defines a small business as 50 or fewer employees (increases to 100 employees in 2016). Sunsets the current State Comprehensive Insurance Program on January 1, 2015. *Passed Senate Insurance 8-5. Second Reading.*

- **HB 3255** (Nekritz/Manar) - Amends the Illinois Public Demonstrations Law. Adds parades to Sections on permits, size, notice, and time requirements. Requires notification to the owners of any railroad the time, location, and duration of the event. *Passed Senate Transportation 15-0. Second Reading. Labor supports.*
- **SB 1859** (Stadelman/Jefferson) - Authorizes Winnebago County to assess a hotel tax of up to 2% to help fund a \$42 million renovation of a vacant factory into a basketball facility and construction of an outdoor soccer complex. All work will be done under a Project Labor Agreement. *Passed House Revenue 8-0. Third Reading.*
- **SB 2255** (Clayborne/Beiser) - Amends the Coal Mining Act. Provides that the State Mining Board shall call an examination at least twice a year for mine electricians. Provides that each applicant for a certificate of competency as mine electrician shall produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable, related industry. Provides that the applicant shall pass an examination as to his or her practical and technical knowledge. *Passed House Business & Occupational Licenses 8-0. Labor Supports.*
- **SR 172** (Collins) - Supports the decision of Congress to require the U.S. Postal Service to maintain 6-day delivery service. *Passed Senate Labor 11-2-2. Labor supports.*
- **SJR 29** (Frerichs) - Creates the University Faculty and Professional Staff Recruiting and Retention Task Force to study the impact of Tier 2 pension benefits on the ability of institutions of higher education to recruit and retain university faculty and professional staff to our institutions of higher education. *Passed Senate Higher Ed 10-0. Calendar order of resolutions. Labor supports.*

GOP-Backed Comp Time Bill Passed U.S. House

A bill (HR 1406) pushed by Republican leaders in the U.S. House that would force workers to work longer hours for less pay narrowly passed on a 223-204 vote in the House Wednesday.

HR 1406 allows employers to pay their workers nothing extra for overtime work, other than the potentially empty promise of compensatory time—"comp time"—that can only be used at the employer's discretion. The measure gives the false impression of "choice," however it is really just another attempt by Republicans and corporate lobbyists to get rid of paid overtime.

Three Democrats voted for the bill and eight Republicans supported Labor and voted against it. All the Democrats in Illinois supported Labor, while GOP representatives all voted for the bill.

It is unlikely to move in the Democrat-controlled Senate, though. And the Obama Administration has pledged a veto even if it did. From the Office of Management and Budget: "This legislation undermines the existing right to hard-earned overtime pay, on which many working families rely to make ends meet, while misrepresenting itself as a workplace flexibility measure that gives power to employees over their own schedules."

Illinois AFL-CIO 6th Annual COPE Golf Outing

Monday, June 10, 2013



1 PM - Shotgun Start
6 PM - Dinner

The RAIL Golf Course

1400 S. Club House Drive, Springfield, IL

\$150 per player

(includes green fees, cart, lunch, dinner, prizes)

GOLD SPONSOR \$2500

SILVER SPONSOR \$1500

Hole Sponsor - \$200 / Dinner Only - \$50

For information contact Terri Payne at terrip@ilaf1-cio.org or 217-492-2622. Reply by May 31.

Checks to: Illinois AFL-CIO COPE, 534 S. Second St., Ste. 200, Springfield, IL 62701-1764

A copy of our report filed with the State Board of Elections is (or will be) available on the Board's official website (www.elections.state.il.us) or for purchase from the State Board of Elections, Springfield, IL



Don't forget to put non-perishable food by your mailbox on Saturday, May 11 for the NALC Food Drive.