



# LEGISLATIVE UPDATE

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## Dean to be Appointed National Iron Workers' Officer

Eric Dean, president of the Iron Workers' District Council of Chicago, will be appointed General Secretary of the Iron Workers' International Union on February 7.

The appointment comes as the result of General President Joe Hunt's retirement. Current General Secretary Walter Wise will replace Hunt and Dean will take over the number two spot.

"I am humbled by the faith and confidence shown in me by our General Executive Council and soon to be General President Wise. I look forward to the challenges we will be facing and am confident knowing my roots from the Chicago and Illinois labor movement will help guide me in leading the Iron Workers into the future."

Dean is a fourth generation Local 63 Iron Worker. He served in his union since 1984 as foreman, apprentice instructor, conductor, trustee, vice president and business agent before going to work as general organizer for the International Iron Workers in 1999. In 2005 he was elected president of the Chicago and Vicinity District Council of Iron Workers.

"How exciting for Mr. Dean, the Iron Workers and Illinois Labor that a union member from our state will help lead one of the country's top building trades unions," said Michael Carrigan. "We are proud of Mr. Dean's accomplishments. He has been very influential and helpful in our political and legislative efforts. We will certainly miss him here in Illinois, but we wish him much success in his new position." ■



# IMMEDIATE ON UPCOMING LEGISLATIVE ISSUES ACTION NEEDED!

The following issues will reportedly be considered during the General Assembly's lame duck session beginning January 3, 2011. **Immediate ACTION is needed.** Please call your state senator and/or representative/s between now and Jan 3. Tell them exactly where Labor stands on these critical issues. We must hold our elected officials accountable to the working families of Illinois.

### TENASKA/LEUCADIA

The Taylorville Energy Center (Tenaska) and the Chicago Clean Energy Project (Leucadia), two massive, job-creating projects, still hang in the balance. Legislation (SB 2485-Tenaska and SB 3388-Leucadia) to approve both clean-coal power plants passed the House during Veto Session but stalled in the Senate Executive Committee.

These projects will create more than 3,500 construction jobs, hundreds of post-construction jobs, help revive Illinois' coal industry and pump over \$7 billion into the state's economy.

**We need these jobs! Please call your senators and stress to them the importance of these two projects to our members. Tell them to pass SB 2485 and SB 3388.**

A hearing on both measures was held today (Dec. 20). ■

Senate President Cullerton and Speaker Madigan both established special committees on Workers' Compensation Reform. The Senate special committee is chaired by Senate President Cullerton and Minority Leader Radogno. President Cullerton has appointed Senators Haine (D-Alton) and Silverstein (D-Chicago) to serve on the committee with him. Leader Radogno appointed Senators McCarter (R-Decatur) and Dillard (R-Westmont) to serve with her. In the House, the special committee is chaired by Representatives John Bradley (D-Marion) and Dan Brady (R-Bloomington). Members on the Committee included Representatives Nekritz (D-Des Plaines), Thapedi (D-Chicago), Mike Zalewski (D-Chicago), David Reis (R-Olney), Jim Sacia (R-Freeport) and David Winters (R-Rockford).

Established in 1911 following the Cherry Mine Disaster, Illinois Workers' Compensation is a no-fault system of benefits paid by employers to workers who experience job-related injuries or diseases. For at least the past 25 years, changes in the Workers' Compensation have been accomplished through the Agreed Bill Process. Workers' Compensation is too important to the well-being of working families to make these kinds of sweeping changes in a few short weeks.

In hearings before the Special Committees, business interests have advocated changing the following aspects of the current Illinois Workers' Compensation Act:

- **Elimination of Pre-existing Condition & Repetitive Trauma (causation)** Changing the standard of causation makes it nearly impossible for any worker with a pre-existing condition to get benefits. If you have degenerative changes, you're out. If you had an old sports injury, you're out. If you had an old work injury, you're out. Moreover, this kind of change practically eliminates repetitive trauma injuries. It is extremely unfair to older workers who tend to have more pre-existing conditions and to women, who account for a lot of the repetitive trauma cases.
- **AMA Guidelines** This is a one-size-fits-all approach to compensation. Every kind of worker gets the same low compensation. It makes no distinction between iron workers and office clerks. You have a certain kind of injury, here is what you get. That is because it measures impairment and not disability

as our current system fairly does by taking into account the unique characteristics of each individual worker.

- **Choice of Doctor & Fee Schedule** Business wants to take away your fundamental right to see your own doctor and force you to see the company doctor. The reason behind this is self-evident. The company doctor is going to downplay the seriousness of your injury and send you back to work too soon, depriving you of the treatment you really need to get back to work safely. Along with this, we must resist any changes to the medical fee schedule. Unless doctors get reimbursed adequately for treating complex work injuries, they will no longer see injured workers, limiting, if not eliminating, access to quality medical care.
- **Binding Utilization Review** The insurance companies want to dictate how much medical treatment injured workers get. They want to take away the discretion that the treating doctor uses to determine the best treatment plan for each injured worker. Once again, this is a one-size-fits-all solution to an issue that demands individualized attention and treatment.
- **Intoxication** Impaired workers do not get benefits under the current law. They want more than to simply deny an injured worker benefits when he is hurt while drunk on the job. After all, that is the current law. They want mandatory drug and alcohol testing for every injury. Don't take the test, you're out. Any trace, you're out. Taking over the counter or prescribed medicine, you're out.
- **Wage-Differential** Nobody really knows what they're looking for here, but they want to limit this benefit severely in some way. This is especially bad for high-wage union workers who have the most severe injuries that prevent them from returning to their former jobs. Limiting the wage differential to a certain number of years unfairly affects younger workers, while limiting it to a certain age unfairly affects older workers.

Business groups and contractors are pushing hard to make these changes in these next few weeks. **It is imperative that legislators in both the House and Senate hear Labor's message that these significant changes are not acceptable to Labor. Changes to the Workers' Compensation Act should be done by the Agreed Bill Process.** ■

## TABOR: Bad for Working Families

House Joint Resolution Constitutional Amendment HJRCA 59 and HJRCA 60 (Rep. Farnham D-Aurora) creates the "Taxpayer Bill of Rights" (TABOR) by amending the Finance Article of the Illinois Constitution to limit appropriations

to programs to the previous fiscal year as adjusted by the 5-year average.

In short, TABOR would create a permanent state revenue shortage. If this constitutional amendment is adopted, it would limit the growth of state and local revenues to a highly restrictive formula: a 5 year average annual change in per capita income unless there is a declaration

of emergency approved by the Governor, Treasurer, Comptroller and 3/5's majority of the House and Senate.

Because this proposal is a Constitutional Amendment, it will take a 3/5 affirmative vote of both the Senate (36 votes) and House (71 votes). The proposal would then be presented to voters on the November 2012 Election

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ballot. Illinois voters would have to approve the proposal by a 3/5's majority of voters voting on the question, or by a majority of all voters voting in the election.

This Constitutional Amendment would do more harm than good to Illinois Taxpayers:

- Despite a pressing need for additional frontline services, TABOR would restrict how many individuals the state could hire at prisons, hospitals or nursing homes. In fact, it would most likely cause the additional layoff of state workers.
- TABOR would restrict how quickly the state could respond to its citizens in the event of a natural disaster or terrorist attack in Illinois.

- If the federal government were to appropriate funding to Illinois in the state's General Fund, the General Assembly would not be able to spend ALL of the money appropriated. The state would be required to follow the strict percentage increase year to year.
- In times of economic downturn, TABOR would not allow the state to increase spending to meet the ever increasing needs of society.

**Call your legislator/s and tell them TABOR is a bad idea that will further restrict state government services to working families and cause massive layoffs to frontline government workers.** ■

## MEDICAID REFORMS

Special Committees were also created by the House and Senate leaders on the subject of Medicaid Reform. As with Workers' Compensation, the committees have held hearings independent of each other during the month of December. While areas of reform such as streamlining services and better communication between state agencies such as the Department of Health and Family Services, Department of Revenue and the Department of Employment Security is needed, several reform bills have been assigned to the committee that are opposed by Labor and detrimental to working families.

**HB 2695:** would privatize certain DHFS services.

**HB 5243:** would place a moratorium on new or expanded Children's Health Insurance, Covering ALL KIDS Health Insurance and Medicaid programs.

**HB 6058:** would allow elderly, blind or disabled citizens to opt out of managed care and enroll in a fee for service system.

**HB 6139:** would order the Department of Human Services to allow its data base of public aid recipients to be cross referenced with the State Police for the purpose of suspending benefits to anyone who has an outstanding warrant.

**HB 6879:** would require applicants and those subject to re-determination for certain Medicaid Health Care Programs on January 1, 2011 to provide additional documentation equaling 30 days pay.

**Please call your legislators and tell them that during this current recession when unemployment continues at levels not experienced since the Great Depression, many working families enrolled their children in the Children's Health Insurance Program, the Covering All KIDS Health Insurance Program and other Medicaid programs for their family's health care. Working families don't need additional roadblocks set up to discourage enrollment into Medicaid programs.** ■

## EDUCATION REFORM PROPOSALS TAKE AIM AT WORKER RIGHTS

Some of the current proposals before the House Education Reform Committee focus on severely restricting due process rights of teachers and effectively eliminating collective bargaining rights. These issues aren't about education reform and, in fact, they would severely limit teachers' ability to advocate for students.

Illinois Federation of Teachers President and newly appointed Illinois AFL-CIO Executive Board member Dan Montgomery testified before the committee and said, "Let me be clear; we do not view some of

the proposals before you as a serious effort to improve collective bargaining outcomes or improve educational outcomes for students," President Montgomery warned the legislators. "Instead, they can only be taken as a direct assault on collective bargaining itself." [Read his complete statement online.](#)

The IFT asks their brothers and sisters in Labor to oppose any legislation that weakens collective bargaining rights for any union member. The IFT believes this legislation would have a negative impact on public education, teachers and

school employees. Most of the bills collective bargaining restrictions also apply to other educational employers in Illinois, including all public community colleges and state universities. The IFT is asking lawmakers to delay any education reform legislation until this spring so teachers can have a chance to help create the solution. **The IFT asks every union member to [contact their lawmaker](#) and tell them to let teachers have a seat at the bargaining table and to take the time to get it right.** ■

## 2011 GENERAL ASSEMBLY SCHEDULE

The Illinois House is scheduled to return on Monday, January 3, 2011 at 3 pm to resume the 96<sup>th</sup> General Assembly. They are scheduled to be in session January 3-7 and 9-11. The Illinois Senate is scheduled to return Tuesday, January 4, 2011 at noon to resume the 96<sup>th</sup> General Assembly and will remain in session

through January 6. However, it's possible the Senate could be in through January 11.

The complete 2011 calendars for the 97<sup>th</sup> General Assembly can be downloaded from our website at [www.ilaff-cio.org/ga\\_calendar.htm](http://www.ilaff-cio.org/ga_calendar.htm)