



LEGISLATIVE UPDATE

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PUBLISHED FOR LABOR ACTIVISTS BY THE ILLINOIS AFL-CIO

MICHAEL T. CARRIGAN, PRESIDENT

TIMOTHY E. DREA, SECRETARY TREASURER

JASON KELLER, LEGISLATIVE DIRECTOR

The Illinois General Assembly completed its business this afternoon. Today was the deadline for bills to pass out of their respective chambers. The Illinois House is taking a week off for Spring Break and will return on Tuesday, April 26. The Senate is taking two weeks off for Spring Break, and will return Tuesday, May 3. Once members return, they will begin considering bills from the other chamber. Both the House and Senate will allow two weeks to pass bills out of committee.

Damaging Workers' Comp Bill Defeated

Negotiations on Fair, Equitable Changes Continue

On Thursday evening, the Senate voted 25-6-28 along party lines to stop legislation that would have gutted workers' compensation protections for Illinois workers. All 24 Republican senators voted for the bill. One Democrat, Sen. Mike Jacobs (Rock Island) also supported the bill.

SB 1349 sponsored by Republican Senator Kyle McCarter (Decatur) with Minority Leader Christine Radogno (Lemont) as chief co-sponsor would have allowed employers to choose which doctor an injured worker would see, allowed previous injuries to be a factor in on-the-job injury cases and would have cut medical fees paid to doctors by

30 percent resulting in reduced care for injured workers.

Labor, the medical community, insurance providers and the Bar Association all opposed to the bill.

"Yesterday's Senate vote defeating SB 1349 was a victory for working families," said Michael T. Carrigan, president of the Illinois AFL-CIO. "The Illinois AFL-CIO and the medical community have been working together for weeks to help craft reforms to our workers' compensation laws that would be fair to workers, doctors and business alike. Senator McCarter's bill was a blatant slap in the face to that process and the progress being made. SB 1349 would

have destroyed all worker protections. We applaud the lawmakers who voted to stop this bill. In doing so they paved the way for meaningful, negotiated and fair change that will ease the burden on business while making sure injured workers get quality and speedy care for their injuries, can see a doctor of their choice and get back to work as quickly as possible.

Negotiations on agreed workers' compensation reforms are continuing. Labor leaders have a scheduled meeting to discuss reforms with Speaker Madigan after the spring break.

Illinois Teachers Support Historic Education Reform Bill

Months of collaboration came to fruition this week in Springfield as the Illinois Federation of Teachers - along with the Illinois Education Association (IEA) and the Chicago Teachers Union (CTU), Local 1 - proudly announced support for historic school reform legislation that will achieve the goals of helping schools keep the best teachers in the classroom and improving student learning.

The legislation, in the form of SB 630, was the result of unprecedented, collaborative negotiations that began in January with a broad coalition under the outstanding and tireless leadership of State Sen. Kimberly Lightford (D-Maywood). Working together with allies, labor was able to defeat dangerous proposals from corporate-funded groups that would have eliminated collective bargaining rights and silenced teachers' voices to advocate for students. At the same time, teachers successfully championed reforms that will put our kids first as outlined in the "Accountability for All" plan developed jointly by the IFT, IEA and CTU.

The legislation will:

- **Implement** a new Survey of Learning Conditions to obtain teacher, student and administrator input about school conditions and effectiveness.
- **Require** that school board members receive training in critical areas of responsibility, including financial oversight, education and labor law and accountability.
- **Ensure** that experience and performance are taken into account in layoff decisions.
- **Grant** tenure to high-quality teachers in a reasonable time frame, as well as establish an expedited tenure process for new teachers who receive excellent reviews.
- **Streamline** the dismissal process for under performing teachers while protecting teachers' due process through the addition of a highly-qualified evaluator.
- **Improve** the mediation process to include a more public disclosure of the final contract offers while protecting members' right to collectively bargain and have a voice at the table to advocate for students.

The Senate passed SB 630 by a vote of 59-0-0. House Speaker Madigan is the House sponsor. The bill is on First Reading in the House.



House Republicans Attack Unions in Committee

Representatives Bill Mitchell, Brown, Stephens and Bost Hostile in Committee

Decatur Republicans, Representative Bill Mitchell and Representative Adam Brown, presented a bill in House Executive Committee this week that they represented as a “jobs producing/union friendly bill.” The Illinois AFL-CIO stood with UFCW #881 in opposition to this legislation.

HB 1879 would require every employer in the state, after hiring an employee, to verify the citizenship of their employees through the often times inaccurate E-Verify program. The definition

of employee even includes those individuals who “volunteer for a non-profit.” This means your grandmother who volunteers at the local hospital would have her privacy invaded to prove her citizenship status. The real implications of the bill would result in thousands of workers getting fired and would be used as a weapon by employers to bust union organizing campaigns. The legislation also mandated Illinois Department of Labor, every three months, to request from the U.S. Department of Homeland Security a

list of employers in the state that use the e-verify program. The Illinois Department of Labor also filed a position slip in opposition to the bill.

Rep. Stephens (R – Highland) specifically requested in committee that the Illinois AFL-CIO communicate to our members our opposition to this bill. Therefore, we would like to communicate with you that **this bill failed to receive the necessary votes in committee, 4-5-2.**

Senate President Cullerton Outlines Budget Plan on Senate Floor

Senate President Cullerton spoke on the floor today regarding the FY12 budget. He stated that the Senate is working with a \$34.3 billion figure for the upcoming fiscal year. Both chambers have passed bills to appropriate \$7.8 billion to fully fund the state pension systems in FY12. This leaves \$26.5 billion to be distributed to state agencies amongst others that depend on state funding. Cullerton went on to explain that when the Senate returns in the first week in May, the Senate Appropriations Committees will be working in earnest to amend Governor Quinn’s budget outline. There will not be an omnibus budget bill this

year. Cullerton stated there were forty appropriation bills to be worked on and that Senate members should be prepared to work well into the evening that first week of May. He further urged the Republicans to draft and prepare amendments for their proposed budget cuts and have them ready to discuss in committee.

Minority Leader Christine Radogno responded to Cullerton saying that rather than debating their ideas in an open committee meeting, she would like to sit down behind closed doors and work on a budget outline.

GENERAL ASSEMBLY

HB 582 – CTA Employees

Rep. Arroyo (D – Chicago)

Monitor

Amends the Metropolitan Transit Authority Act. Except as provided in a collective bargaining agreement, provides that the Chicago Transit Authority may not have a sick leave, vacation leave, or personal leave policy unless the Chicago Transit Board adopts the policy by ordinance or resolution. Except as provided by a collective bargaining agreement, requires that any sick leave, vacation leave, or personal leave policy adopted by the Chicago Transit Board apply uniformly to all employees of the Chicago Transit Authority.

4/15/11 – Passed House Mass Transit 19-2-0. Second Reading.

HB 1091 – Public Private Partnerships

Rep. Nekritz (D – Des Plaines)

Sen. Steans (D – Chicago)

NEUTRAL

Creates the Public-Private Partnerships for Transportation Act. Grants to the Il-

linois Department of Transportation and the Illinois State Toll Highway Authority the necessary powers for the development, financing, and operation of transportation projects through public-private agreements with one or more private entities. Includes protections for prevailing wage and project labor agreements on construction projects. Provides that the authority shall not use the proceeds from the sale or lease of existing property (as of the effective date of act) towards a public private partnership. Effective immediately.

4/11/11 – Passed House 66-47-1.

4/12/11 – Referred to Senate Assignments.

HB 1576 – Firefighter Hiring

Rep. Dugan (D – Kankakee)

SUPPORT

Creates a standardized hiring process for firefighters across the state. Allows local governments to continue the current hiring process at the local level. Sets forth minimum testing requirements for firefighter hiring to ensure only the most qualified

candidates are chosen for this very important profession. Creates a statewide hiring list administered under the Office of the State Fire Marshal and gives local governments the OPTION to hire firefighters from this list. Exempts the City of Chicago.

4/15/11 – Passed House 75-28-3. To Senate.

HB 1913 – Public Utilities

Rep. May (D – Highland)

Monitor

Increases the universe of rooftop owners who can “net meter”, allowing large buildings to benefit from rooftop renewable energy.

4/13/11 – Passed House Public Utilities 23-0-0. Second Reading.

HB 2066 – Jury Duty

Rep. Jakobson (D – Champaign)

Sen. Frerichs (D – Champaign)

Agreed Bill Process

Amends the Jury Act and the Jury Commission Act. Provides that lists of claimants for unemployment insurance shall

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be added to the other lists (Illinois driver's license, Identification Card, Disabled Person Identification Card, and registered voters lists) now used to create jury lists.

4/14/11 – Passed House 116-0-0.

4/15/11 – Referred to Senate Assignments.

HB 3103 – Committee Roll Calls

Rep. Tryon (R – Crystal Lake)

Monitor

Requires that, on or before July 1, 2011, the floor roll calls taken by the House of Representatives and Senate and the roll calls taken by each of the committees of the House of Representatives and Senate must be posted on the General Assembly's website. Effective immediately.

4/14/11 – Passed House 116-0-0.

To Senate.

HB 3237 – Prevailing Wage

Rep. Phelps (D – Harrisburg)

Sen. Koehler (D – Peoria)

SUPPORT

House Bill 3237 will strengthen the Prevailing Wage Act resulting in tougher enforcement, more widespread compliance with the Act, and less fraud on public bodies.

- Changes the criminal penalty for violating the Act from (at most) a Class A misdemeanor to a Class 4 felony.
- Requires the Illinois Department of Labor (IDOL) to debar those criminally convicted of violations of the Act for a period of 4 years. Currently, there is no such debarment for criminal convictions.
- Permits state, local and federal law enforcement agencies to obtain relevant documents from contractors and subcontractors. Currently, only IDOL and the relevant public body have the right to obtain these documents.
- Reduces the amount of notice contractors and subcontractors have prior to the inspection of documents by government entities from 7 to 3 days.

4/14/11 – Passed House 67-49-0.

4/15/11 – Referred to Senate Assignments.

HB 3449 – Direct Deposit for State Workers and Retirees

Rep. Mautino (D – Spring Valley)

Sen. Bivins (R – Dixon)

Neutral

Amends the State Comptroller Act. Provides that State payments for an employee's payroll or an employee's expense reimbursement must be made through direct deposit. Sets forth exceptions, including collective bargaining agreements and

hardship. Provides that all State payments to a vendor that exceed a certain allowable limit of paper warrants in a fiscal year, by the same agency, must be made through direct deposit. Exempts the legislative and judicial branches of State government from these requirements. Effective immediately.

4/13/11 – Passed House 114-2-0.

4/14/11 – Referred to Senate Assignments.

HB 3636 – Lien Rights

Rep. Rose (R – Charleston)

Sen. McCann (R – Carlinville)

Monitor

An amendment to this bill addresses a Supreme Court case LaSalle Bank v. Cypress Creek. The bank financed the project, under previous law the subcontractors that provided enhancements were referred to the extent of the value that they added to the property. The lender was preferred before any improvements made. The court decision maintained the bank's position as the financier of the project over the priority of the improvements of the property. The practical effect of the decision, the subcontractors will begin to require up front payments for the project.

4/14/11 – Passed House 114-0-2.

4/15/11 – Referred to Senate Assignments.

SB 4 – Film and Edge Tax Credit

Sen. Forby (D – Benton)

Rep. Bradley (D – Marion)

Neutral

This legislation allows Continent Tire, based in Mount Vernon, to apply for a tax credit that would be used for a \$200 million investment and the creation of 350 jobs and retaining 250 full time jobs. The investment will be used for an expansion of their existing facility. Sunsets the EDGE tax credit on December 31, 2016. Sunsets the Film Production Services Tax Credit five years after the effective date of the Act.

2/17/11 – Passed the Senate 50-0-0.

3/17/11 – Passed the House 90-20-1.

4/13/11 – Senate concurs with House Amendment #3, 53-0-2. Passed both chambers.

SB 83 – Water Systems

Sen. Wilhelmi (D – Crest Hill)

SUPPORT

Amends the Municipal Code to allow a water system owned by a public utility that provides water to 2 or more municipalities to be acquired by a majority of the municipalities it serves by eminent domain,

so long as there is an intergovernmental agreement in existence between the acquiring municipalities. Requires that all work performed on the acquired water system must be done by employees who are members of a collective bargaining unit or by contractors whose employees are members of a collective bargaining unit. The unit recognized must be one that has historically represented those employees.

4/15/11 – Passed Senate 34-21-0.

To House.

SB 115 – Equal Pay Act

Sen. Sandoval (D – Cicero)

SUPPORT

Amends the Equal Pay Act of 2003. Increases the civil penalty up to \$5,000 for a violation of the Equal Pay Act.

4/15/11 – Passed Senate 36-18-0.

To House.

SB 1150 – Higher Education – Civil Service Employees

Sen. Sullivan (D – Rushville)

SUPPORT

Restores the decision on classification of employees at state universities to the Civil Service Merit Board, or its executive director.

4/15/11 – Passed Senate 34-18-0. To the House.

SB 1352 – CDB Expansion

Sen. Schoenberg (D – Evanston)

Rep. Currie (D – Chicago)

Monitor

Expands the number of contracts that the CDB can bid out as a package, as opposed to bidding each part of construction out individually.

4/13/11 – Passed Senate 35-18-0.

4/14/11 – Referred to House Rules.

SB 1566 – Illinois Aviation Trades Association

Sen. Clayborne (D – East St. Louis)

Rep. Holbrook (D – Belleville)

Monitor

Amendment #1 - Creates a sales tax exemption for mechanical aviation parts sales and service providers. This legislation will help correct the competitive disadvantage for Illinois based aviation sales and service providers. In 2006, it was reported that Illinois loses 3 out of every 4 proposals for aircraft service to states with a more favorable sales tax advantage. For every \$100,000 worth of aviation service provided in Illinois, the state receives \$3,488 in tax revenue on parts and mate-

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rials (7.75% average tax). The hope with this legislation is to capture 2 out of every 4 proposals for aircraft service in Illinois, creating additional state revenue.

4/14/11 – Passed Senate 56-0-0.

4/15/11 – Referred to House Rules.

SB 1578 – Professional Development for School Employees

Sen. Holmes (D – Aurora)

Rep. Mussman (D – Schaumburg)

SUPPORT

This legislation will provide access to professional development training for educational support personnel (custodians, teaching assistants, secretaries, bus drivers, cooks, etc) to upgrade their skills and prepare them to assume greater responsibilities in our schools.

4/14/11 – Passed Senate 55-0-0.

4/15/11 – Referred to House Rules.

SB 1853 – Cemetery Bill of Rights

Sen. E Jones (D – Chicago)

Rep. Nekritz (D – Des Plaines)

OPPOSE

Creates the Cemetery Consumer Bill of Rights Act. Provides that consumers have the right to purchase cemetery merchandise or cemetery services directly from a cem-

etry authority or third-party vendor of the consumer's choice without incurring a penalty or additional charges by the cemetery authority. Provides that all prices for cemetery merchandise and cemetery services must be disclosed to the consumer in writing on a standardized price list. Amends the Counties Code to provide that for any abandoned cremated remains where the owner cannot be located, the county coroner of the county where the human cremated remains where found shall cause the human remains to be disposed of according to the Act. Effective immediately.

4/14/11 – Passed Senate 54-2-1.

4/15/11 – Referred to House Rules.

SB 2037 – Elevator Safety

Sen. Sullivan (D – Rushville)

Monitor

Amends the Elevator Safety and Regulation Act. Provides that the provisions of the Performance-Based Safety Code for Elevators and Escalators (ASME A17.7) shall be included in the standards and criteria for licensing of elevator mechanics, inspectors, and installers of elevators. Provides that a certificate of operation is renewable every 3 years (rather than annually) for a conveyance (i) that is located in a build-

ing owned and occupied by any church, synagogue, or other building, structure, or place used primarily for religious worship and is the only conveyance in the building, (ii) that is under the jurisdiction of the Administrator, (iii) that is limited in use to 2 levels, and (iv) for which the church, synagogue, or other building, structure, or place used primarily for religious worship has an annual maintenance examination that includes the applicable category tests. Makes corresponding changes. Effective immediately.

4/14/11 – Passed Senate 58-0-0

To House.

SB 2172 – Responsible Bidder

Sen. Clayborne (D – East St. Louis)

SUPPORT

Amends the Illinois Procurement Code. Provides that, in order to be considered a responsible bidder under the Code, a bidder must submit a signed affidavit stating that it will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract. Effective immediately.

4/15/11 – Passed Senate 37-21-0.

To House.

Carbondale and Chicago Rallies Close Out a Week of Solidarity

**WE
ARE
ONE**

Last Friday evening in Carbondale 2,300 union members and supporters packed the SIU Arena to show solidarity in the battle to save workers' rights around the country. Jason Woolard, president of the Southern Illinois Central Labor Council told the crowd, "...we can get left behind or we can stand together and push this state forward." Steve Hughart, business manager for IBEW Local 702 reminded members how important is it to use their vote as their voice and to not let social issues cloud their voting.



On Saturday, 10,000 gathered in downtown Chicago at Daley Plaza to protest attacks on the middle class and to remember Dr. Martin Luther King, Jr. and his fight to protect workers' rights to bargain collectively for fair wages and benefits. Speakers included Wisconsin State Senator Chris Larson who thanked Illinois union members for their support when the entire Wisconsin Democratic caucus left the state for Illinois to prevent Gov. Scott Walker's anti-worker bill from passing. Bill Lucy, retired national secretary-treasurer for AFSCME and great civil rights leader who worked with Dr. King, fired up the crowd when he told them, "Brothers and sisters, I don't know what ship you may have come over on, but we are in the same boat now. We will not give up. We will not give out. We will not give in."

The Chicago rally ended a full week of solidarity events all across the state where union members and our allies sent a clear message to lawmakers – WE ARE ONE in the fight to protect our rights on the job.