



Laborers' International Union of North America

Midwest Regional Office

John F. Penn, LIUNA Vice President and Midwest Regional Manager

LIUNA Legislative Update November 15, 2019

Over a two-week veto session with few gubernatorial vetoes to address, the Illinois General Assembly considered issues that were left unresolved in the spring. A dominant topic was the ultimately unsuccessful attempt to reach an agreement on a plan to lower the tax rates for a proposed Chicago casino. That issue will be revisited in January. After the legislature adjourned Thursday evening, Senate President John Cullerton (D-Chicago) made the unexpected announcement that he will be retiring in January, and so the next two months will be busy for Senate Democrats as they determine who will be their next leader.

Legislature Approves “Post-Janus” Collective Bargaining Protections for Public Employees

The House voted on, and the Senate concurred with, final changes to **SB 1784 (Sen. Don Harmon, D-Oak Park and Rep. Jay Hoffman, D-Belleisle)**, “post-Janus” legislation that specifies that public employee union members’ personal information is not available to third parties. The bill does guarantee unions access to such information every month and the ability to meet with newly hired bargaining unit members. It also gives public employees the ability to authorize automatic dues deductions from their paychecks. Those agreements may be automatically renewed, but must include an opt-out period of at least 10 days. In a related note, earlier this month, a U.S. appellate court ruled that Mark Janus, a former Illinois state employee, is not entitled to a refund of his AFSCME fair share fees that he paid prior to the Supreme Court ruling that prohibited those fees for public employees. SB 1784 now moves to the Governor’s desk.

Senate Passes Training Requirements for Coal Ash Construction

By a vote of 39-12, the Senate passed **SB 671**, a follow-up to the coal ash pond permitting requirements passed earlier this year (SB 9). SB 671, sponsored by **Sen. Scott Bennett (D-Champaign)**, is an initiative of the LIUNA Midwest Region and the Operating Engineers. The legislation requires that any owner of a coal ash impoundment who hires a contractor to construct, modify, or close an impoundment certify that that contractor participates in United States Department of Labor-registered Laborers’ and Operators’ training programs. This legislation now goes to the House for consideration after the winter break.

New Incentives for Minority Participation in the Trades

Encouraging minority participation in the construction industry, an issue of importance to many lawmakers, was a subject of several bills passed this spring. **SB 177**, sponsored by **Sen. Napoleon Harris (D-Harvey)** and **Rep. Will Davis (D-Hazel Crest)** and passed by both chambers this week, consolidates the reforms passed in the earlier bills and clarifies processes. The changes include:

- Limiting a goal that apprentices perform 10% of all hours on public works projects to only those projects that are state-funded and cost \$500,000 or more. Previously, the goal applied to all public works projects of any size.
- Eliminates a fee for requesting an exemption from the goal.
- Specifying that the Illinois Works Bid Credit Program, which allows contractors to earn bid credits for future projects by hiring graduates of the Illinois Works Pre-apprenticeship Program, applies to State-funded projects. Originally, the bid credit program applied to all public works projects.