



Laborers' International Union of North America Midwest Regional Office

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

Legislative Update

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Pritzker Strengthens Public Employee Bargaining Power

Signs Bill Authorizing Dues Deduction Agreements in Response to Anti-Worker Janus Case

In June of 2018 in a 5-4 decision, the United States Supreme Court ruled that requiring public employees to pay (at minimum) “fair share” fees to offset the cost of union representation was unconstitutional. The game-changing ruling in Janus v. AFSCME Council 31 made all state and local government workplaces “Right-to-Work (for Less),” allowing public employees to pay nothing for the cost of negotiating contracts – while still enjoying the wages and benefits that they guarantee – and representation in grievances.

Several pro-worker states have since passed legislation giving public employees and their unions the ability to ensure stable and effective representation. Illinois followed suit during the fall Veto Session by passing **SB 1784**, sponsored by **State Rep. Jay Hoffman (D-Belleville)** and **Sen. Don Harmon (D-Oak Park)**, which **Gov. JB Pritzker (D)** signed into law prior to the Christmas holiday. The following is a summary of some of the changes SB 1784 made to the Illinois Public & Educational Labor Relations Acts. These changes went into effect on December 20, 2019:

- **Unions may enter into dues deduction agreements** with public employee bargaining unit members;
- **Dues deduction agreements may be longer than one year and may be automatically renewed**, but must have a minimum 10-day annual opt out period;
- **Revocation of dues deduction agreements by bargaining unit members must be submitted to the Union;**
- **Public employers must transmit dues deductions to the Union within 30 days of notification** (unless a shorter timeframe is negotiated). The Union must indemnify the public employer for any damages and reasonable costs incurred for deductions that were not authorized;
- **Public employers must give the Union, at least monthly (now, only upon request), a list of bargaining unit member names**, addresses, titles, worksite locations and work and personal phone numbers and email addresses. Similar information on new hires must be provided within 10 days of hire;
- **The Union may meet with new hires for up to one hour within the first two weeks of employment** without the worker’s pay being docked. The Union also has the right to meet with all bargaining unit members on the employer’s premises during the workday to investigate and discuss grievances;
- **Public employers are prohibited from disclosing employee information to 3rd parties** and the employer must notify the Union of such requests “as soon as practicable;” and
- **Public employers who discourage employees from joining or remaining in a Union are subject to Unfair Labor Practice charges.**

SB 1784 also amended the Freedom of Information Act (FOIA) to make corresponding changes. Additionally, the State Comptroller Act was amended to eliminate the requirement that the Comptroller publish state employees’ county of residence (in other words, the Comptroller must now only publish the name, title and salary of state employees. Prior legislation that became law this year eliminated disclosure of state employee addresses).