

Progress on the Legislative Front!

The spring session of the Illinois General Assembly has concluded. AFSCME Council 31 succeeded in passing of a number of bills of importance to union members—and blocking passage of a number that would be harmful.

WHAT WE WON:

FY22 STATE BUDGET

- **Averts layoffs in state agencies and funds scheduled pay increases.**
- **Maintains state funding to local governments at current levels.**
- **Provides funding for at least a \$1.50/hour wage increase for frontline workers in community disability agencies.**
- **Closes several of the state's most costly corporate tax loopholes, saving hundreds of millions of dollars that help fund vital programs.**

SB525 IMPROVED LABOR RIGHTS IN STATE GOVERNMENT (SEN. AQUINO/REP. HALPIN)

Corrects some unfair exclusions of state employees from coverage by the Illinois Public Labor Relations Act that were made exclusively on the basis of written job descriptions without consideration of actual job duties. Fixes legislative provision that would have barred implementation of scheduled state employee step increases. **Passed both houses and awaiting action by the governor.**

SB2249 DOC EMPLOYEES CAN'T BE FIRED FOR SEEKING MENTAL HEALTH TREATMENT (SEN. TURNER, D/REP. YEDNOCK)

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall not make possession of a Firearm Owner's Identification Card a condition of continued employment as a correctional officer or a parole officer if the employee's Firearm Owner's Identification Card is revoked or seized because the employee has been a patient of a mental health facility. Provides an expedited procedure to regain FOID card. **Passed both houses and awaiting action by the governor.**

HB 2643 PROVIDES UNEMPLOYMENT INSURANCE FOR SCHOOL/UNIVERSITY EMPLOYEES AND REPAYMENT WAIVERS OF NON-FRAUDULENT OVERPAYMENTS IN TIME OF PANDEMIC (REP. HOFFMAN/SEN. HOLMES)

Omnibus unemployment insurance legislation that provides for unemployment benefits for the 2021 summer for noninstructional school and university employees who are effectively laid off over the summer months. HB 2643 also allows repayment requirements for non-fraudulent overpayment of benefits to be waived. **This measure has passed the Senate and is on the order of concurrence in the House. The House is expected to act on HB 2643 in the coming month.**

SB1681 LINE OF DUTY-PROBATION OFFICER (SEN. BENNETT/REP. YEDNOCK)

Amends the Line of Duty Compensation Act. Includes probation officers within the scope of the Act. **Passed both houses and awaiting action by the governor.**

HB2521 STRENGTHENS WORKERS' RIGHTS (REP. GONZALEZ/SEN. VILLIVALAM)

Amends the Illinois Public Labor Relations Act. Provides that the showing of interest in support of a petition filed for the purpose of selecting a labor organization as the representative of the employees in a bargaining unit may be evidenced by the electronic signature of the employees. Provides that it shall be an unfair labor practice for an

employer to promise, threaten, or take any action because of an employee's specified participation in a strike. **Passed both houses and awaiting action by the governor.**

SB1771/HB3798 AIDS CNA'S IN IDOC IN MAINTAINING CERTIFICATION (SEN. BELT/REP. ANDRADE/REP. GREENWOOD)

Amends the Health Care Worker Background Check Act. Makes it easier for CNA's employed by an outside vendor, such as Wexford Health Services, in the Illinois Department of Corrections to maintain their certification. **SB 1771 and HB 3798 passed both houses and awaiting action by the governor.**

HB12 EDUC-FAMILY LEAVE ELIGIBILITY (REP. COSTA HOWARD/SEN. VILLIVALAM)

Amends various Acts relating to the governance of public schools, public universities, and public community colleges in Illinois. Provides that an employee of a school district, public university, or community college district who has been employed for at least 12 months and who has worked at least 1,000 hours in the previous 12-month period shall be eligible for family and medical leave under the same terms and conditions as leave provided to eligible employees under the federal Family and Medical Leave Act of 1993. **Passed both houses and awaiting action by the governor.**

HB3474 EMPLOYEE REP ON IMRF BOARD (REP. HALPIN/SEN. HOLMES)

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Provides that a person who meets the criteria to be an executive trustee may not serve as an employee trustee. Effective immediately. **Passed both houses and awaiting action by the governor.**

SC11 CONSTITUTIONAL AMENDMENT ON WORKERS' RIGHTS (SEN. VILLIVALAM/REP. EVANS)

Proposes to amend the Bill of Rights Article of the Illinois Constitution. Provides that employees shall have the fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours, and working conditions, and to protect their economic welfare and safety at work. Provides that no law shall be passed that interferes with, negates, or diminishes the right of employees to organize and bargain collectively over their wages, hours, and other terms and conditions of employment, including any law or ordinance that prohibits the execution or application of agreements between employers and labor organizations in the private sector requiring membership in that organization as a condition of employment. **Adopted by both chambers. Will be placed on the ballot for the November 2022 General Election.**

HB2766 CITY OF CHICAGO RETIREES CAN JOIN AFSCME RETIREES (REP. SMITH/SEN. VILLIVALAM)

Amends the Chicago Municipal Article of the Illinois Pension Code. Provides that all annuitants formerly employed by the City of Chicago, and not just those formerly represented by AFSCME, may authorize the withholding of a portion of his or her annuity for payment of dues to a labor organization. **Passed both houses and awaiting action by the governor.**

HB118 WAGE THEFT-DAMAGES AMOUNT (REP. GUZZARDI/SEN. VILLA)

Amends the Illinois Wage Payment and Collection Act. Provides that an employee is entitled to recover damages of 5% (rather than 2%) of the amount of any underpayments in wages for each month following the date of payment during which such underpayments remain unpaid. Effective immediately. **Passed both houses and awaiting action by the governor.**

WHAT WE BEAT BACK:

We were able to block passage of all bills seeking to reduce or eliminate public employee pension benefits! These bills were either amended to address our concerns or were not called for a vote.

HB1727 ELIMINATES QUALIFIED IMMUNITY FOR POLICE OFFICERS (REP. TARVER)

Eliminates long-established qualified immunity protection which restricts the ability of any person to file a civil lawsuit against a peace officer for actions taken while performing his or her job. Allows attorney's fees and costs to be awarded to the plaintiff. Would have set a dangerous precedent, undermining qualified immunity for all public employees. ***Never called for a vote.***

HB3895 CORRECTIONAL OFFICER MENTAL HEALTH MONITORING (REP. LILLY/SEN. HARRIS)

Provides that the Department of Corrections and the Department of Juvenile Justice shall require their correctional officers to undergo mental health screenings and tests and shall develop rules to monitor and track their interaction with committed persons and to provide for discharge or other assignments for officers who are mentally unable to interact with committed persons. ***HB 3895 was amended to remove mandate for employee mental health screenings and requirements to track interactions with offenders. The amended bill only encourages access to mental health treatment for IDOC & IDJJ employees. Passed both houses and awaiting action by the governor.***

HB2445 ELECTIONS VOTER PHOTO ID (REP. DAVIDSMEYER)

In an attempt to restrict voting rights, this measure would have amended the Election Code. Requires Voters Identification Cards for those who do not have an acceptable photo ID. Sets forth requirements and exemptions. Provides that any person desiring to vote shall present to the judges of election for verification of the person's identity a government-issued photo identification card or his or her Voter Identification Card. ***Never called for a vote.***

HB3408 MEDICAID-SNAP-ELIGIBILITY CHECK (REP. MORRISON)

Would have privatized work in IDHS by requiring the Department to contract with a third-party vendor to conduct quarterly checks on the eligibility of persons receiving benefits under the State's Medical Assistance Program or under the federal Supplemental Nutrition Assistance Program (SNAP). ***Never called for a vote.***

HB 3564 SOLITARY CONFINEMENT (REP. FORD)

Would limit IDOC use of "isolated confinement" to no more than 10 consecutive days and no more than a total of 10 days in a 180-day period. ***HB 3564 passed the House based on the sponsor's commitment to work with AFSCME to amend the bill in the Senate to address our concerns. Never called for a vote in the Senate.***

HB 3467 ALTERNATIVE EMPLOYMENT (SEN. PETERS)

Would provide a procedure by which offenders in the Illinois Department of Corrections could petition the court for a reduced sentence. Sets up a task force to recommend alternative employment options for current IDOC employees. ***The sponsor agreed to remove the provision regarding alternative employment for IDOC employees. Passed both houses as amended.***

KEEP ON FIGHTING!

Some bills AFSCME supported didn't make it through the General Assembly in this session, but we're not giving up. We'll be back in the next session.

SB2128 IDOC-EDUCATORS (SEN. PETERS)

Appropriates funds to the Department of Corrections to hire additional educators and vocational instructors. Effective July 1, 2021. ***Never called for a vote.***

HB39 PARTIAL TUITION WAIVERS (REP. STUART)

Amends various acts relating to the governance of public universities in Illinois. Removes the requirement that employees of an Illinois college or university must have been employed for an aggregate period of at least 7 years by any one or more than one Illinois college or university for the children of employees to be eligible for a 50%

tuition waiver for undergraduate education. Adds the requirement that employees of an Illinois college or university must be employed by an Illinois college or university at the time of enrollment for the child to be eligible for a 50% tuition waiver for undergraduate education. **Never called for a vote.**

HB3135/SB 2073 PEN CD-SERS-ALTERNATE ANNUITY (REP. MOELLER/SEN. CASTRO)

Corrects error made in eliminating SERS "alternative formula" participation for Security Therapy Aides in the Illinois Department of Human Services forensic facilities and units. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions may convert up to 9 years of service credit established before the effective date of the amendatory Act. **Never called for a vote.**

SB2334 GAMING BOARD-INVESTIGATIONS (SEN. VILLANUEVA)

Amends provisions of the Illinois Gambling Act by removing the Illinois Gaming Board's authority to contract with the Illinois State Police for the use of State Police Officers to perform specified duties after January 1, 2023. **Never called for a vote.**

HB2531 CORRECTIONAL OFFICERS-FIREARMS (REP. BENNETT)

Amends the Illinois Police Training Act. Defines "retired law enforcement officer qualified under federal law" for purposes of the Act to permit the carrying of a concealed weapon. Amends the Criminal Code of 2012, the Unified Code of Corrections, and the County Jail Act. Permits currently employed and qualified retired State correctional officers and county correctional officers to carry their own firearms off-duty without being in violation of the unlawful use of weapons and aggravated unlawful use of a weapon statutes if they meet certain training requirements. **Never called for a vote.**

HB3898 HEALTHY WORKPLACE ACT (REP. GORDON-BOOTH)

Creates the Healthy Workplace Act and amends the State Finance Act. Requires employers to provide specified paid sick days to employees. Sets forth the purposes for and manner in which the sick days may be used. **Never called for a vote.**

HB3983/SB2500 COM COL-CHICAGO-ELECT BOARD (REP. RAMIREZ/SEN. MARTWICK)

Amends the Election Code. Provides for the election of the board of trustees of the City Colleges of Chicago at the general primary election in 2022 on a nonpartisan ballot. Provides that a member of the board of trustees shall be elected at each consolidated election thereafter. **Never called for a vote.**

HB737/SB164 UTILITY-WATER/SEWER REFERENDUM (REP. JONES/SEN. CONNOR)

Restricts efforts to privatize local government water or sewer functions. In provisions concerning procedures for a large public utility to acquire a water or sewer utility, provides that if the water or sewer utility being acquired is owned by the State or a political subdivision of the State, a referendum will be required to approve the acquisition of the water or sewer utility by the large public utility. **Never called for a vote.**

HB3977 BEHAVIORAL HEALTH-1ST RESPONDER (REP. LAPOINTE)

Creates the First Responders Behavioral Healthcare Bill of Rights Act. Provides that first responders have certain specified statutory rights in seeking behavioral health services and treatment. Provides that the rights guaranteed to first responders in these provisions are judicially enforceable. **Never called for a vote.**

HR38 SOCIAL SECURITY WEP-ELIMINATE (REP. GREENWOOD)

Urges the President of the United States and the United States Congress to continue to work to find a solution to the problems created by the Windfall Elimination Provision. **Never called for a vote.**