



ACTION NEEDED: HB 163 Jeopardizes Core Workplace Rights

Reform of the criminal justice system should seek to ensure that the rights of all are respected, that use of excessive force by police is not tolerated, and that rehabilitation is a core focus of incarceration. Any such reform should be rooted in the recognition that the great majority of employees in the criminal justice system—police, probation officers, correctional officers, lawyers, judges—serve their communities with honor and diligence in challenging and often dangerous jobs.

Legislation has just been introduced in the Illinois General Assembly seeking to reform the criminal justice system. Unfortunately, two key provisions of Senate Amendment 2 to HB 163 represent a major threat to employee rights.

[NOTE: This measure may be introduced with a different bill number. AFSCME lobbyists are closely monitoring.]

1) HB 163 would amend the state collective bargaining law to eliminate most of the collective bargaining rights of “peace officers” in Illinois—primarily police officers. It would restrict the issues over which these employees could bargain only to wages and benefits. So there would be no recourse when these employees are disciplined, no ability to establish workplace health and safety standards, no contractually established hours of work, no bargaining over any other working conditions. This amendment does not impact state or county correctional officers.

This amendment would set a terrible precedent that could eventually be used to strip all public employees of their rights. **AFSCME is firmly opposed to this attack on collective bargaining rights.** If police officers can be so readily stripped of their bargaining rights, the rights of all of us are put at risk. **Every** worker deserves to have the right to a voice on the job that collective bargaining rights provide—and that includes all police officers.

2) HB 163 would also eliminate qualified immunity for “peace officers” in cases of civil lawsuits.

This provision has a broader definition of “peace officer” and could be construed to cover parole officers, county corrections officers, probation officers, and sheriff’s deputies, in addition to police officers.

AFSCME supports the longstanding principle of qualified immunity for public servants and opposes this effort to eliminate it. Qualified immunity is vitally important to public employees in a wide variety of occupations. It is a well-established legal principle intended to prevent civil lawsuits against employees who were acting in good faith to carry out the duties assigned to them.

Abolition of qualified immunity is not necessary to ensure accountability of police officers who abuse their positions or to secure justice for those wrongly treated.

Call your state legislators right away. Urge them to oppose these provisions in HB 163 or any similar bill.