



Rep. Lawrence Walsh, Jr.

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10100SB2140ham002

LRB101 09757 RLC 61399 a

1 AMENDMENT TO SENATE BILL 2140

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2140, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. If and only if Senate Bill 1407 of the 101st  
6 General Assembly becomes law in the form in which it passed the  
7 Senate, then the Illinois Hazardous Materials Workforce  
8 Training Act is amended by changing Section 5 and adding  
9 Section 22 as follows:

10 (101st G.A., SB1407 Engrossed, Sec. 5)

11 Sec. 5. Definitions. As used in this Act:

12 "Apprenticeable occupation" means an occupation in the  
13 building and construction trades for which training and  
14 apprenticeship programs have been approved by and registered  
15 with the U.S. Department of Labor, Bureau of Apprenticeship and  
16 Training.

1 "Apprenticeship program" means an applicable training and  
2 apprenticeship program approved by and registered with the U.S.  
3 Department of Labor, Bureau of Apprenticeship and Training.

4 "Approved advanced safety training for workers at high  
5 hazard facilities" means a curriculum of in-person classroom  
6 and laboratory instruction for approved advanced safety  
7 training established by rule by the Department.

8 "Building and construction trades council" means any labor  
9 organization that represents multiple construction trades and  
10 monitors or is attentive to compliance with public or workers'  
11 safety laws, wage and hour requirements, or other statutory  
12 requirements and negotiates and maintains collective  
13 bargaining agreements.

14 "Community college" means a college organized under the  
15 Public Community College Act.

16 "Construction" means all work at a stationary source  
17 involving laborers, workers or mechanics. "Construction"  
18 includes any maintenance, repair, assembly, or disassembly  
19 work performed on equipment whether owned, leased, or rented.

20 "Department" means the Department of Labor.

21 "Director" means the Director of Labor.

22 "Labor agreement" means a form of pre-hire collective  
23 bargaining agreement covering all terms and conditions of  
24 employment.

25 "Labor organization" means an organization that is the  
26 exclusive representative of an employer's employees recognized

1 or certified under the National Labor Relations Act.

2 "Owner or operator" means an owner or operator of a  
3 stationary source that is engaged in activities described in  
4 Code 324110, 325110, 325193, or 325199 of the 2017 North  
5 American Industry Classification System (NAICS), and has one or  
6 more covered processes that are required to prepare and submit  
7 a Risk Management Plan. "Owner or operator" does not include  
8 oil and gas extraction operations.

9 "Prevailing hourly wage rate" has the same meaning as  
10 "general prevailing rate of hourly wages" as defined in Section  
11 2 of the Prevailing Wage Act.

12 "Registered apprentice" means an apprentice registered in  
13 an applicable apprenticeship program for an apprenticeable  
14 occupation approved by, and registered with, the U.S.  
15 Department of Labor, Bureau of Apprenticeship and Training.

16 "Shift" means a set standard period of time an employer  
17 requires its employees to perform his or her work-related  
18 duties on a daily basis. For purposes of this definition, there  
19 may be multiple shifts per day.

20 "Skilled journeyperson" means a worker who meets all of the  
21 following criteria:

- 22 (1) the worker either graduated from an approved  
23 apprenticeship program for the applicable occupation, or  
24 has at least as many hours of on-the-job experience in the  
25 applicable occupation that would be required to graduate  
26 from an approved apprenticeship program for the applicable

1 occupation;

2 (2) the worker is being paid at least a rate equivalent  
3 to the prevailing hourly wage rate for a journeyperson in  
4 the applicable occupation and locality; and

5 (3) beginning on or after January 1, 2023, the worker  
6 has completed, within the prior 2 calendar years, at least  
7 20 hours of approved advanced safety training for workers  
8 at high hazard facilities.

9 "Skilled and trained workforce" means a workforce that  
10 meets all of the following criteria:

11 (1) all the workers are either registered apprentices  
12 or skilled journeypersons;

13 (2) beginning on January 1, 2020, at least 45% of the  
14 skilled journeypersons are graduates of an apprenticeship  
15 program for the applicable occupation;

16 (3) beginning on January 1, 2021, at least 60% of the  
17 skilled journeypersons are graduates of an apprenticeship  
18 program for the applicable occupation; and

19 (4) beginning on January 1, 2022, at least 80% of the  
20 skilled journeypersons are graduates of an apprenticeship  
21 program for the applicable occupation.

22 "Stationary source" means that term as it is defined under  
23 Section 39.5 of the Environmental Protection Act.

24 (Source: 101st G.A., SB1407 Engrossed.)

25 (101st G.A., SB1407 Engrossed, Sec. 22 new)

1       Sec. 22. Exemptions. This Act does not apply to any owner  
2       or operator that has an executed national or local labor  
3       agreement in effect pertaining to the performance of  
4       construction work at a given facility or site under the terms  
5       of the agreement. The labor agreement must be negotiated with  
6       and approved by a building and construction trades council that  
7       has geographic jurisdiction over the stationary source.

8       Section 99. Effective date. This Act takes effect upon  
9       becoming law, or on the date Senate Bill 1407 of the 101st  
10      General Assembly takes effect, whichever is later."