



Sen. Ram Villivalam

Filed: 5/3/2019

10100HB2975sam001

LRB101 08706 JLS 60181 a

1 AMENDMENT TO HOUSE BILL 2975

2 AMENDMENT NO. _____. Amend House Bill 2975 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Uniform Arbitration Act is amended by
5 adding Section 1.5 as follows:

6 (710 ILCS 5/1.5 new)

7 Sec. 1.5. Prohibition against requiring waiver of
8 statutory rights as a condition of employment.

9 (a) In this Section:

10 "Employee" means any person employed by or suffered or
11 permitted to work for an employer. "Employee" does not,
12 however, mean any person employed as managerial, professional,
13 or confidential employee as defined in subsection (c), (j), or
14 (m) of Section 3 of the Illinois Public Labor Relations Act.

15 "Employer" means any person, either individual,
16 corporation, partnership, agency, or firm, that employs an

1 employee and includes any person, either individual,
2 corporation, partnership, agency, or firm, acting directly or
3 indirectly in the interest of an employer in relation to an
4 employee, as well as the State of Illinois; any political
5 subdivision of the State, unit of local government or school
6 district; State college or university; fire protection
7 district; authorities including departments, divisions,
8 bureaus, boards, commissions, or other agencies of the
9 foregoing entities; and any person acting within the scope of
10 his or her authority, express or implied, on behalf of those
11 entities in dealing with its employees.

12 "Person seeking employment" means any person seeking to be
13 employed by an employer. "Person seeking employment" does not,
14 however, mean any person seeking to become a managerial,
15 professional or confidential employee as defined in subsection
16 (c), (j), or (m) of Section 3 of the Illinois Public Labor
17 Relations Act.

18 (b) Notwithstanding any provision of Illinois law to the
19 contrary, no employer shall require as a condition or
20 precondition of employment that any employee or person seeking
21 employment waive, arbitrate, or otherwise diminish any
22 existing or future claim, right, or benefit to which the
23 employee or person seeking employment would otherwise be
24 entitled under any provision of Illinois law or any federal
25 law.

26 (c) Nothing in this Section prohibits a labor union and an

1 employer from agreeing to an arbitration clause in the
2 grievance resolution provisions of a collective bargaining
3 agreement, however the existence of such an agreement does not
4 waive an employee's individual right to file with the
5 appropriate administrative agency or court.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".