

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Native
5 American Employment Plan Act.

6 Section 5. Purpose. The purposes of this Act are to:

7 (1) Improve the delivery of State services to Illinois'
8 Native Americans by increasing the number of Native
9 American State employees and the number of Native American
10 State employees serving in supervisory, technical,
11 professional, and managerial positions.

12 (2) Identify State agencies' staffing needs and
13 qualification requirements.

14 (3) Track hiring practices and promotions of Native
15 Americans employed by State agencies.

16 (4) Increase the number of Native Americans employed by
17 State agencies.

18 (5) Increase the number of Native American State
19 employees who are promoted.

20 (6) Assist State agencies to meet their goals
21 established under the Native American Employment Plan.

22 (7) Establish the Native American Employment Plan
23 Advisory Council.

1 Section 10. Definitions. As used in this Act:

2 "Department" means the Department of Central Management
3 Services.

4 "Eskimos or other aboriginal people of Alaska" has the same
5 meaning as "native" under subsection (b) of Section 1602 of
6 Title 43 of the United States Code.

7 "Native American" means a person who is at least one of the
8 following:

9 (1) A member of any recognized Indian Tribe now under
10 federal jurisdiction who is officially enrolled in
11 accordance with the Tribe's constitutional membership
12 criteria.

13 (2) A person whose ancestry is from certain
14 non-federally recognized Tribes as determined by the
15 Bureau of Indian Affairs, where the Tribe is recognized by
16 an individual state, and the person is officially enrolled
17 in accordance with the Tribe's constitutional membership
18 criteria.

19 (3) Of the Eskimos or other aboriginal people of
20 Alaska.

21 "State agency" or "agency", whether used in the singular or
22 plural, means all departments, officers, commissions, boards,
23 institutions, and bodies politic and corporate of the State.
24 The term, however, does not mean the judicial branch,
25 including, without limitation, the several courts of the State,

1 the offices of the clerk of the Supreme Court and the clerks of
2 the appellate court, and the Administrative Office of the
3 Illinois Courts, nor does it mean the General Assembly or its
4 committees or commissions.

5 Section 15. Native American Employment Plan.

6 (a) The Department shall develop and implement plans to
7 increase the number of Native Americans employed by State
8 agencies and the number of Native Americans employed by State
9 agencies at supervisory, technical, professional, and
10 managerial levels.

11 (b) The Department shall prepare and revise annually a
12 Native American Employment Plan in consultation with
13 individuals and organizations knowledgeable on this subject
14 and with the Native American Employment Plan Advisory Council.
15 The Department shall report to the General Assembly by February
16 1 of each year, beginning with February 1, 2020, each State
17 agency's activities that implement the Native American
18 Employment Plan.

19 (c) The Department shall monitor compliance with the Native
20 American Employment Plan and may assign that duty to the
21 Department's staff or to a full-time Native American Employment
22 Coordinator who shall be appointed by the Native American
23 Employment Plan Advisory Council. Nothing in this Act mandates
24 the Department to hire additional staff.

1 Section 20. State agency affirmative action and equal
2 employment opportunity goals.

3 (a) Each State agency shall implement strategies and
4 programs in accordance with the Native American Employment Plan
5 to increase the number of Native Americans employed by that
6 State agency and the number of Native Americans employed by
7 that State agency at supervisory, technical, professional, and
8 managerial levels.

9 (b) Each State agency shall report annually to the
10 Department and the Department of Human Rights, in a format
11 prescribed by the Department, all of the agency's activities in
12 implementing the Native American Employment Plan. Each
13 agency's annual report shall include: (1) reports or
14 information related to the agency's Native American employment
15 strategies and programs that the agency has received from the
16 Department, the Department of Human Rights, or the Auditor
17 General, pursuant to their periodic review responsibilities;
18 (2) findings made by the Governor in his or her report to the
19 General Assembly; (3) assessments of service needs based upon
20 the agency's service populations; (4) information on the
21 agency's studies and monitoring success concerning the number
22 of Native Americans employed by the agency at the supervisory,
23 technical, professional, and managerial levels, and any
24 increases in those categories from the prior year; and (5)
25 information concerning the agency's Native American employment
26 budget allocations.

1 (c) The Department shall assist State agencies required to
2 establish preparation and promotion training programs under
3 subsection (H) of Section 7-105 of the Illinois Human Rights
4 Act for failure to meet their affirmative action and equal
5 employment opportunity goals. The Department shall survey
6 State agencies to identify effective existing training
7 programs and shall serve as a resource to other State agencies.
8 The Department shall assist agencies in the development and
9 modification of training programs to enable them to meet their
10 affirmative action and equal employment opportunity goals and
11 shall provide information regarding other existing training
12 and educational resources, such as the Upward Mobility Program,
13 the Illinois Institute for Training and Development, the
14 Department of Central Management Services Training Center or
15 its successor, Executive Recruitment Internships, and Graduate
16 Public Service Internships.

17 Section 25. Native American Employment Plan Advisory
18 Council.

19 (a) The Native American Employment Plan Advisory Council is
20 created. The Advisory Council shall consist of 11 members, each
21 of whom shall be a Native American subject matter expert,
22 appointed by the Governor. Ex officio liaison members shall be
23 appointed by the Director or Secretary of each of the following
24 agencies:

25 (1) Department on Aging;

- 1 (2) Department of Children and Family Services;
- 2 (3) Department of Commerce and Economic Opportunity;
- 3 (4) Department of Corrections;
- 4 (5) Department of Employment Security;
- 5 (6) Department of Human Services;
- 6 (7) Department of Human Rights;
- 7 (8) Department of Healthcare and Family Services;
- 8 (9) Department of Public Health; and
- 9 (10) Department of Transportation.

10 (b) Members of the Native American Employment Plan Advisory
11 Council who are appointed by the Governor shall serve without
12 compensation. Ex officio liaison members shall not receive any
13 compensation in addition to their regular salary. All members
14 of the Council shall be reimbursed for their reasonable and
15 necessary expenses from funds appropriated for that purpose.

16 (c) The Native American Employment Plan Advisory Council
17 shall appoint a Native American Employment Coordinator. In
18 addition to any other duties which may be prescribed by law,
19 the duties of the Native American Employment Coordinator under
20 this Act shall be determined by the Council.

21 (d) The Native American Employment Plan Advisory Council
22 shall examine:

- 23 (1) the prevalence and impact of Native Americans
24 employed by State government;
- 25 (2) the barriers faced by Native Americans who seek
26 employment or promotional opportunities in State

1 government; and

2 (3) possible incentives that could be offered to foster
3 the employment and promotion of Native Americans in State
4 government.

5 (e) The Council shall meet quarterly to provide
6 consultation to State agencies and the Native American
7 Employment Coordinator.

8 (f) The Native American Employment Plan Advisory Council
9 shall receive administrative support from the Department of
10 Central Management Services and shall issue an annual report of
11 its activities each year on or before February 1, beginning
12 February 1, 2021.

13 Section 100. The Department of Central Management Services
14 Law of the Civil Administrative Code of Illinois is amended by
15 changing Section 405-125 as follows:

16 (20 ILCS 405/405-125) (was 20 ILCS 405/67.31)

17 Sec. 405-125. State agency affirmative action and equal
18 employment opportunity goals. Each State agency shall
19 implement strategies and programs in accordance with the State
20 Hispanic Employment Plan, ~~and~~ the State Asian-American
21 Employment Plan, and the Native American Employment Plan to
22 increase the number of Hispanics employed by the State, the
23 number of Asian-Americans employed by the State, ~~and~~ the number
24 of bilingual persons employed by the State, and the number of

1 Native American persons employed by the State at supervisory,
2 technical, professional, and managerial levels. Each State
3 agency shall report annually to the Department and the
4 Department of Human Rights, in a format prescribed by the
5 Department, all of the agency's activities in implementing the
6 State Hispanic Employment Plan, ~~and~~ the State Asian-American
7 Employment Plan, and the Native American Employment Plan. Each
8 agency's annual report shall include reports or information
9 related to the agency's Hispanic, Asian-American, Native
10 American, and bilingual employment strategies and programs
11 that the agency has received from the Illinois Department of
12 Human Rights, the Department of Central Management Services, or
13 the Auditor General, pursuant to their periodic review
14 responsibilities; findings made by the Governor in his or her
15 report to the General Assembly; assessments of bilingual
16 service needs based upon the agency's service populations;
17 information on the agency's studies and monitoring success
18 concerning the number of Hispanics, Asian-Americans, Native
19 Americans, and bilingual persons employed by the agency at the
20 supervisory, technical, professional, and managerial levels
21 and any increases in those categories from the prior year; and
22 information concerning the agency's Hispanic, Asian-American,
23 Native American, and bilingual employment budget allocations.
24 The Department shall assist State agencies required to
25 establish preparation and promotion training programs under
26 subsection (H) of Section 7-105 of the Illinois Human Rights

1 Act for failure to meet their affirmative action and equal
2 employment opportunity goals. The Department shall survey
3 State agencies to identify effective existing training
4 programs and shall serve as a resource to other State agencies.
5 The Department shall assist agencies in the development and
6 modification of training programs to enable them to meet their
7 affirmative action and equal employment opportunity goals and
8 shall provide information regarding other existing training
9 and educational resources, such as the Upward Mobility Program,
10 the Illinois Institute for Training and Development, the
11 Central Management Services Training Center, Executive
12 Recruitment Internships, and Graduate Public Service
13 Internships.

14 (Source: P.A. 97-856, eff. 7-27-12.)