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1 SENATE JOINT RESOLUTION

2 WHEREAS, The 102nd General Assembly of the State of
3 Illinois has submitted Senate Joint Resolution Constitutional
4 Amendment 11, a proposition to amend the Illinois
5 Constitution, to the voters of Illinois at the November 2022
6 general election; and

7 WHEREAS, The Illinois Constitutional Amendment Act
8 requires the General Assembly to prepare a brief explanation
9 of the proposed amendment, a brief argument in favor of the
10 amendment, a brief argument against the amendment, and the
11 form in which the amendment will appear on the ballot, and also
12 requires the information to be published and distributed to
13 the electorate; therefore, be it

14 RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL
15 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
16 REPRESENTATIVES CONCURRING HEREIN, that the proposed form of
17 new Section 25 of Article I shall be published as follows:

18 "ARTICLE I

19 BILL OF RIGHTS

20 SECTION 25. WORKERS' RIGHTS

21 (a) Employees shall have the fundamental right to organize

1 and to bargain collectively through representatives of their
2 own choosing for the purpose of negotiating wages, hours, and
3 working conditions, and to protect their economic welfare and
4 safety at work. No law shall be passed that interferes with,
5 negates, or diminishes the right of employees to organize and
6 bargain collectively over their wages, hours, and other terms
7 and conditions of employment and work place safety, including
8 any law or ordinance that prohibits the execution or
9 application of agreements between employers and labor
10 organizations that represent employees requiring membership in
11 an organization as a condition of employment.

12 (b) The provisions of this Section are controlling over
13 those of Section 6 of Article VII."; and be it further

14 RESOLVED, That a brief explanation of the proposed
15 amendment, a brief argument in favor of the amendment, a brief
16 argument against the amendment, and the form in which the
17 amendment will appear on the ballot shall be published and
18 distributed as follows:

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**PROPOSED AMENDMENT
TO ADD SECTION 25 TO ARTICLE I
OF THE ILLINOIS CONSTITUTION**

**That will be submitted to the voters
November 8, 2022**

This pamphlet includes

- EXPLANATION OF THE PROPOSED AMENDMENT***
- ARGUMENTS IN FAVOR OF THE AMENDMENT***
- ARGUMENTS AGAINST THE AMENDMENT***
- FORM OF BALLOT***

1 *To the Electors of the State of Illinois:*

2 The Illinois Constitution establishes a structure of
3 government and laws for the State of Illinois. There are three
4 ways to initiate change to the Illinois Constitution: (1) a
5 constitutional convention may propose changes to any part; (2)
6 the General Assembly may propose changes to any part; or (3) a
7 petition initiative may propose amendments limited to
8 structural and procedural subjects contained in the
9 Legislative Article. The people of Illinois must approve any
10 changes to the Illinois Constitution before they become
11 effective. The purpose of this document is to inform you of
12 proposed changes to the Illinois Constitution and to provide
13 you with a brief explanation and a summary of the arguments in
14 favor of and in opposition to the proposed amendment.

15

EXPLANATION

16 The proposed amendment, which takes effect upon approval by
17 the voters, adds Section 25 to the Bill of Rights Article of
18 the Illinois Constitution. The new section will guarantee
19 workers the fundamental right to organize and to bargain
20 collectively and to negotiate safety conditions, wages, hours,
21 working conditions, and economic welfare. The amendment
22 prohibits the passage of any new law within the State that
23 restricts or prohibits workers from engaging in collective

1 bargaining with their employer over wages, hours, and other
2 terms and conditions of employment, like safety protocols or
3 training.

4 **Arguments In Favor of the Proposed Amendment**

5 This amendment will protect workers' and others' safety.
6 That includes guaranteeing nurses' right to put patient care
7 ahead of profit and making sure construction workers can speak
8 up when there's a safety issue. It will protect workers from
9 being silenced when they call attention to food safety
10 threats, shoddy construction, and other problems that could
11 harm Illinoisans. This amendment protects firefighters and
12 EMTs who put their lives on the line to protect Illinoisans. It
13 means they get the training and safety equipment they need to
14 do their jobs, and can speak out when they see a problem
15 without fear of retaliation. This amendment will help our
16 economy by putting more money in workers' pockets who join
17 together and get raises. That will mean more money going into
18 our communities and small businesses as people join the middle
19 class with good-paying jobs.

20 **Arguments Against the Proposed Amendment**

21 A fundamental right provided to all citizens under the
22 First Amendment of the United States Constitution is the right

1 to free speech and freedom of association. This amendment
2 prohibits any law or ordinance that allows union workers to
3 choose whether they wish to be a member of the union or not.
4 Under the 2018 United States Supreme Court decision Janus v.
5 Illinois AFSCME, non-union government workers cannot be
6 required to pay union dues as a condition of working in the
7 public sector. Approval of this constitutional amendment will
8 deny that protection to private sector workers. The amendment
9 also states that lawmakers could never "interfere with,
10 negate, or diminish" certain rights. These terms are broad and
11 undefined and leave lawmakers without the ability to clarify
12 through legislation. Our Illinois Constitution provides such
13 protection to public employees. The result of that protection
14 has been to squash efforts by state lawmakers and voters to
15 address Illinois' pension fund deficits.

16 **FORM OF BALLOT**

17 Proposed Amendment to the 1970 Illinois Constitution

18 Explanation of Amendment

19 The proposed amendment would add a new section to the Bill of
20 Rights Article of the Illinois Constitution that would
21 guarantee workers the fundamental right to organize and to
22 bargain collectively and to negotiate wages, hours, and
23 working conditions, and to promote their economic welfare and

1 safety at work. The new amendment would also prohibit from
 2 being passed any new law that interferes with, negates, or
 3 diminishes the right of employees to organize and bargain
 4 collectively over their wages, hours, and other terms and
 5 conditions of employment and workplace safety. At the general
 6 election to be held on November 8, 2022, you will be called
 7 upon to decide whether the proposed amendment should become
 8 part of the Illinois Constitution.

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10	YES	For the proposed addition
11	-----	of Section 25 to Article I
12	NO	of the Illinois Constitution.

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