



Rep. Lilian Jiménez

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LRB103 26027 SPS 59568 a

1 AMENDMENT TO HOUSE BILL 3131

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3131 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Workplace Safety Committees Act.

6 Section 5. Findings. The General Assembly finds that  
7 hundreds of thousands of Illinois workers have contracted the  
8 disease related to the COVID-19 virus in the workplace, and  
9 that also hundreds are disabled each year from work-related  
10 injuries and diseases. The General Assembly finds that many  
11 COVID-19 infections, deaths, and workplace injury and illness  
12 losses are needless, costly, and could have been prevented.  
13 The General Assembly concludes that the establishment of joint  
14 management and worker safety committees will help prevent such  
15 losses and may reduce workers' compensation costs in this  
16 State.

1           Section 10. Purpose. It is the purpose of this Act to bring  
2 workers and management together in a non-adversarial,  
3 cooperative effort to promote safety and health in the  
4 workplace. The workplace safety committees established by this  
5 Act shall consist of management and employee representatives  
6 who have an interest in the general promotion of safety and  
7 health in the workplace.

8           Section 15. Establishment of safety committees.

9           (a) Every public and private employer of 30 or more  
10 employees located in Illinois shall establish and administer a  
11 safety committee.

12           (b) To determine the employment levels under subsection  
13 (a), the employer shall count all permanent, contract,  
14 temporary, and seasonal workers under the employer's direction  
15 and control and shall base the number on peak employment.

16           (c) Temporary services employers and labor contractors  
17 shall establish safety committees based upon the total number  
18 of workers over which the employer or contractor exercises  
19 direction and control.

20           (d) Employers who hire only seasonal workers shall hold  
21 crew safety meetings prior to the commencement of the season  
22 at each job site. The meetings shall promote discussions of  
23 safety and health issues. All workers shall be informed of  
24 their right to inspect and report workplace hazards and shall

1 be encouraged to make those inspections and reports during the  
2 meetings according to provisions established in the federal  
3 Occupational Safety and Health Act of 1970.

4 Section 20. Location of safety committees.

5 (a) Safety committees shall be established at each of an  
6 employer's primary places of employment. As used in this Act,  
7 "primary place of employment" means a major economic unit at a  
8 single geographic location, comprised of a building or group  
9 of buildings, and all surrounding facilities, having the  
10 following characteristics: it has both management and workers  
11 present; it has control over a portion of a budget; and it has  
12 the ability to take action on the majority of the  
13 recommendations made by a safety committee.

14 (b) An employer's auxiliary, mobile, or satellite  
15 locations, such as those found in construction operations,  
16 trucking, branch or field offices, sales operations, or highly  
17 mobile activities, may be combined into a single, centralized  
18 safety committee. This centralized safety committee shall  
19 represent the safety and health concerns of all the locations.

20 Section 25. Recognition and approval of certain safety  
21 committees. If a public health emergency is declared, the  
22 Department of Labor and the Department of Public Health may  
23 recognize and approve safety committees that are innovative or  
24 differ in form or function if those safety committees meet the

1 purpose of this Act.

2 Section 30. Safety committee formation and membership.

3 (a) The safety committees required under this Act shall be  
4 composed of an equal number of employer and employee  
5 representatives. Employee representatives shall be selected by  
6 their exclusive representative for collective bargaining  
7 purposes or, if there is no exclusive representative, employee  
8 representatives shall be volunteers or shall be elected by  
9 their peers. Employer representatives shall be selected by  
10 management. When agreed upon by workers and management, the  
11 number of employees on the safety committee may be greater  
12 than the number of employer representatives. Seasonal workers  
13 shall not be counted for the purpose of determining the number  
14 of members who will serve on the safety committee.

15 (b) The safety committees shall consist of no fewer than 4  
16 members and shall have a chairperson elected by the safety  
17 committee members.

18 (c) Employee representatives attending safety committee  
19 meetings required by this Act or participating in safety  
20 committee instruction or training required by this Act shall  
21 be compensated by the employer at the regular hourly wage.

22 (d) Employee representatives shall serve a continuous term  
23 of at least one year. Length of membership shall be alternated  
24 or staggered so that at least one experienced member is always  
25 serving on the safety committee.

1           (e) Reasonable efforts shall be made to ensure that safety  
2 committee members are representative of the major work  
3 activities of the firm.

4           Section 35. Safety committee meetings.

5           (a) The safety committee shall develop a written agenda  
6 for conducting safety committee meetings. The agenda shall  
7 prescribe the order in which safety committee business will be  
8 addressed during the meeting.

9           (b) The safety committee shall hold regular meetings at  
10 least once a month.

11           (c) Quarterly safety committee meetings may be substituted  
12 for monthly meetings when the safety committee's sole area of  
13 responsibility involves low hazard work environments. A low  
14 hazard workplace is a work environment that has not had a  
15 workplace accident, injury, or reportable medical disease  
16 causing the loss of working days for any worker during a  
17 3-month period.

18           (d) Minutes shall be made of each meeting. The employer  
19 shall maintain the minutes for 3 years for inspection by the  
20 Department of Labor and the Department of Public Health.  
21 Copies of the minutes shall be posted or made available for all  
22 employees and shall be sent in the manner the employer  
23 regularly communicates with workers. All reports, evaluations,  
24 and recommendations of the safety committee shall be made a  
25 part of the minutes of the safety committee meeting.

1           (e) For each recommendation made at the safety committee  
2 meetings, a reasonable time limit shall be established for the  
3 employer to respond in writing. The response should include  
4 the action taken to comply with the recommendations, and, in  
5 case of noncompliance, the reasons why implementing the action  
6 was not accomplished and a time frame to comply.

7           Section 40. Employee involvement. The safety committee  
8 shall establish a system to allow the members to obtain  
9 safety-related suggestions, reports of hazards, or other  
10 information directly from all persons involved in the  
11 operations of the workplace. The information obtained shall be  
12 reviewed at the next safety committee meeting and shall be  
13 recorded in the minutes for review and necessary action by the  
14 employer.

15           Section 45. Hazard assessment and control.

16           (a) The safety committee shall assist the employer in  
17 evaluating the employer's accident and illness prevention  
18 program and shall make written recommendations to improve the  
19 program when applicable. The safety committee shall also:

20           (1) include employer and employee representatives in  
21 inspection teams, shall document in writing the location  
22 and identity of the hazards, and shall make  
23 recommendations to the employer regarding correction of  
24 the hazards; and

1           (2) conduct quarterly inspections of satellite  
2 locations by the safety committee team or by a person  
3 designated at the location.

4           (b) The person designated to carry out inspection  
5 activities at the locations identified in paragraphs (1) and  
6 (2) of subsection (a) shall be selected by the employer and  
7 shall receive training in hazard identification in the  
8 workplace.

9           Section 50. Safety and health planning. The safety  
10 committee shall establish procedures for the review of all  
11 safety and health inspection reports made by the safety  
12 committee. Based on the results of the review, the safety  
13 committee shall make recommendations for improvement of the  
14 employer's accident and illness prevention program. The safety  
15 committee shall evaluate the employer's accountability system  
16 and make recommendations to implement supervisor and employee  
17 accountability for safety and health.

18           Section 55. Accident investigation. The safety committee  
19 shall establish procedures for investigating all  
20 safety-related incidents including injury accidents,  
21 illnesses, and deaths. This Section shall not be construed to  
22 require the safety committee to conduct the investigations.

23           Section 60. Safety and health training and instruction.

1 (a) The following items shall be discussed with all safety  
2 committee members:

3 (1) safety committee purposes and operation;

4 (2) rules adopted by the Department of Labor under  
5 this Act; and

6 (3) methods of conducting safety committee meetings.

7 (b) Safety committee members shall have ready access to  
8 Occupational Safety and Health Codes that apply to the  
9 particular establishment and verbal instructions regarding  
10 their use.

11 (c) All safety committee members shall receive training  
12 based upon the type of business activity. At a minimum,  
13 members shall receive training regarding:

14 (1) hazard identification in the workplace; and

15 (2) principles regarding effective accident and  
16 incident investigations.

17 (d) The safety committee shall assist the employer in  
18 providing information, instruction, training, and supervision  
19 as is necessary to ensure, so far as is reasonably  
20 practicable, the health and safety of employees at work and  
21 individuals affected by their activities. This may include  
22 training concerning hazard communication standards, emergency  
23 action plans, fire safety, emergency exit routes, walking and  
24 working surfaces, medical emergencies and first aid, blood  
25 borne pathogens, fall protection, general safety and health,  
26 lockout/tagout, powered industrial trucks, confined spaces,



1 and respiratory protection. The training shall be provided in  
2 the primary languages commonly understood in the workplace.

3 Section 65. Special public health emergency provisions.  
4 During a public health emergency declared by the Governor,  
5 until the health authorities declare an end to it, the safety  
6 committee shall have the following special functions:

7 (1) Collect and post in conspicuous places, such as  
8 bulletin boards, lunch rooms, and dressing rooms at each  
9 location, information issued by the Centers for Disease  
10 Control and Prevention, the United States Department of  
11 Labor, the federal Occupational Safety and Health  
12 Administration, the Department of Public Health, and  
13 others concerning prevention and measures concerning the  
14 public health emergency declared by the Governor. The  
15 postings shall be printed in the primary languages used in  
16 the workplace as determined by the Department of Labor by  
17 rule.

18 (2) Collect and post in such locations, and deliver to  
19 all workers, executive orders concerning the public health  
20 emergency declared by the Governor. The postings shall be  
21 printed in the primary languages used in the workplace as  
22 determined by the Department of Labor by rule.

23 (3) Prepare and implement a response plan to be  
24 executed in case an outbreak occurs in the workplace. An  
25 outbreak means the existence of 2 or more workers

1           presenting symptoms related to the public health emergency  
2           declared by the Governor.

3           (4) Make sure all mandated reporting of outbreaks to  
4           the Department of Public Health is implemented.

5           Section 70. Civil penalty. The Department may conduct  
6           investigations in connection with the administration and  
7           enforcement of this Act. Upon determination, after reasonable  
8           notice and opportunity for a hearing, that an employer has  
9           violated this Act by not having established a safety committee  
10          or not convening a meeting over 6 months, the Department of  
11          Labor may levy a civil penalty as established by rule. The  
12          Attorney General may bring an action in the circuit court to  
13          enforce the collection of any monetary penalty.".