

HB4228



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4228

Introduced 11/8/2023, by Rep. Dan Swanson

SYNOPSIS AS INTRODUCED:

820 ILCS 192/10

Amends the Paid Leave for All Workers Act. Provides that the definition of "employer" does not include fire protection districts organized under the Fire Protection District Act.

LRB103 35067 SPS 65020 b

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 5. The Paid Leave for All Workers Act is amended by
5 changing Section 10 as follows:

6 (820 ILCS 192/10)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 10. Definitions. As used in this Act:

10 "Construction industry" means any constructing, altering,
11 reconstructing, repairing, rehabilitating, refinishing,
12 refurbishing, remodeling, remediating, renovating, custom
13 fabricating, maintenance, landscaping, improving, wrecking,
14 painting, decorating, demolishing, or adding to or subtracting
15 from any building, structure, highway, roadway, street,
16 bridge, alley, sewer, ditch, sewage disposal plant,
17 waterworks, parking facility, railroad, excavation or other
18 structure, project, development, real property, or
19 improvement, or to do any part thereof, whether or not the
20 performance of the work herein described involves the addition
21 to or fabrication into, any structure, project, development,
22 real property, or improvement herein described of any material
23 or article of merchandise.

1 "Construction industry" also includes moving construction
2 related materials on the job site or to or from the job site,
3 snow plowing, snow removal, and refuse collection.

4 "Department" means the Illinois Department of Labor.

5 "Domestic work" and "domestic worker" have the same
6 meanings as defined in Section 10 of the Domestic Workers'
7 Bill of Rights Act, except that "domestic worker" also
8 includes independent contractors, sole proprietors, and
9 partnerships.

10 "Employee" has the same application and meaning as that
11 provided in Sections 1 and 2 of the Illinois Wage Payment and
12 Collection Act. "Employee" also includes all domestic workers,
13 and, for the purposes of this Act, domestic workers shall not
14 be excluded as employees under the provisions of item (1),
15 (2), or (3) of Section 2 of the Illinois Wage Payment and
16 Collection Act. "Employee" does not include:

17 (1) an employee as defined in the federal Railroad
18 Unemployment Insurance Act (45 U.S.C. 351 et seq.) or the
19 Railway Labor Act;

20 (2) a student enrolled in and regularly attending
21 classes in a college or university that is also the
22 student's employer, and who is employed on a temporary
23 basis at less than full time at the college or university,
24 but this exclusion applies only to work performed for that
25 college or university; or

26 (3) a short-term employee who is employed by an

1 institution of higher education for less than 2
2 consecutive calendar quarters during a calendar year and
3 who does not have a reasonable expectation that they will
4 be rehired by the same employer of the same service in a
5 subsequent calendar year.

6 "Employer" has the same application and meaning as that
7 provided in Sections 1 and 2 of the Illinois Wage Payment and
8 Collection Act, except that for purposes of this Act,
9 "employer" also means the State and units of local government,
10 any political subdivision of the State or units of local
11 government, or any State or local government agency.

12 "Employer" does not include school districts organized
13 under the School Code, ~~or~~ park districts organized under the
14 Park District Code, or fire protection districts organized
15 under the Fire Protection District Act.

16 "Writing" or "written" means a printed or printable
17 communication in physical or electronic format, including a
18 communication that is transmitted through electronic mail,
19 text message, or a computer system or is otherwise sent or
20 stored electronically.

21 (Source: P.A. 102-1143, eff. 1-1-24.)