

SB3558



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3558

Introduced 2/9/2024, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

820 ILCS 63/5
820 ILCS 63/20

Amends the Transportation Benefits Program Act. Provides that the Act does not apply to any covered employee working in the construction industry who is covered by a bona fide collective bargaining agreement. Defines "construction industry".

LRB103 39394 SPS 69575 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 Transportation Benefits Program Act is
5 amended by changing Sections 5 and 20 as follows:

6 (820 ILCS 63/5)

7 Sec. 5. Definitions. As used in this Act:

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

1 collection.

2 "Covered employee" means any person who performs an
3 average of at least 35 hours of work per week for compensation
4 on a full-time basis.

5 "Covered employer" means any individual, partnership,
6 association, corporation, limited liability company,
7 government, non-profit organization, or business trust that
8 directly or indirectly, or through an agent or any other
9 person, employs or exercises control over wages, hours, or
10 working conditions of an employee, and that:

11 (1) is located in: Cook County; Warren Township in
12 Lake County; Grant Township in Lake County; Frankfort
13 Township in Will County; Wheatland Township in Will
14 County; Addison Township; Bloomingdale Township; York
15 Township; Milton Township; Winfield Township; Downers
16 Grove Township; Lisle Township; Naperville Township;
17 Dundee Township; Elgin Township; St. Charles Township;
18 Geneva Township; Batavia Township; Aurora Township; Zion
19 Township; Benton Township; Waukegan Township; Avon
20 Township; Libertyville Township; Shields Township; Vernon
21 Township; West Deerfield Township; Deerfield Township;
22 McHenry Township; Nunda Township; Algonquin Township;
23 DuPage Township; Homer Township; Lockport Township;
24 Plainfield Township; New Lenox Township; Joliet Township;
25 or Troy Township; and

26 (2) employs 50 or more covered employees in a

1 geographic area specified in paragraph (1) at an address
2 that is located within one mile of fixed-route transit
3 service.

4 "Public transit" means any transportation system within
5 the authority and jurisdiction of the Regional Transportation
6 Authority.

7 "Transit pass" means any pass, token, fare card, voucher,
8 or similar item entitling a person to transportation on public
9 transit.

10 (Source: P.A. 103-291, eff. 1-1-24.)

11 (820 ILCS 63/20)

12 Sec. 20. Application of Act.

13 (a) Nothing in this Act shall be deemed to interfere with,
14 impede, or in any way diminish the right of employees to
15 bargain collectively with their employers through
16 representatives of their own choosing in order to establish
17 wages or other conditions of work in excess of the applicable
18 minimum standards of the provisions of this Act. Nothing in
19 this Act shall be deemed to affect the validity or change the
20 terms of bona fide collective bargaining agreements in force
21 on the effective date of this Act. After the effective date of
22 this Act, requirements of this Act may be waived in a bona fide
23 collective bargaining agreement, but only if the waiver is set
24 forth explicitly in such agreement in clear and unambiguous
25 terms.

1 (b) This Act does not apply to any covered employee
2 working in the construction industry who is covered by a bona
3 fide collective bargaining agreement.

4 (Source: P.A. 103-291, eff. 1-1-24.)