

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.)