

1 AN ACT concerning human services.

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

4 Section 5. The Illinois Guaranteed Job Opportunity Act
5 is amended by changing Sections 10, 15, 25, 30, 35, 40, 45,
6 50, 55, and 65 as follows:

7 (20 ILCS 1510/10)

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

9 "Department" means the Department of Commerce and
10 Community Affairs.

11 "Eligible area" means a county, township, municipality,
12 or ward or precinct of a municipality.

13 {a} "Participant" means an individual who is determined
14 to be eligible under Section 25.

15 {b} "Project" means the definable task or group of tasks
16 which:

17 (1) will be carried out by a public agency, a
18 private nonprofit organization, a private contractor, or
19 a cooperative,

20 (2) (blank), ~~will---meet---the---requirements---of~~
21 ~~subsection-(f)-of-Section-35,~~

22 (3) will result in a specific product or
23 accomplishment, and

24 (4) would not otherwise be conducted with existing
25 funds.

26 {e} "Director" means the Director of Commerce and
27 Community Affairs ~~Director-of-Labor.~~

28 (Source: P.A. 88-114.)

29 (20 ILCS 1510/15)

30 Sec. 15. Establishment of program. The Department may

1 issue grants for the operation of projects under this Act.
 2 The issuance of the grants is subject to the availability of
 3 State or federal funds and at the discretion of the Director.
 4 ~~Grants--shall--be--made--and--projects--shall--be--assisted--under~~
 5 ~~this--Act--only--to--the--extent--that--funding--from--federal--sources~~
 6 ~~is--available--for--those--purposes--From--the--sums--appropriated~~
 7 ~~by--the--General--Assembly--for--any--fiscal--year--the--Director~~
 8 ~~shall--make--grants--to--Executive--Councils--established--in~~
 9 ~~accordance--with--Section--20--for--the--purpose--of--assisting--local~~
 10 ~~job--projects--which--meet--the--requirements--of--this--Act.~~ The
 11 General Assembly may appropriate funds for the purposes of
 12 this Section from any appropriate State source or from any
 13 appropriate federal source, regardless of which State agency
 14 is the initial recipient of the federal funds.

15 (Source: P.A. 88-114.)

16 (20 ILCS 1510/25)

17 Sec. 25. Program eligibility.

18 (a) General Rule. An individual is eligible to
 19 participate in the job projects assisted under this Act if
 20 the individual:

21 (1) is at least 16 years of age;

22 (2) has resided in the eligible area for at least
 23 30 days;

24 (3) has been unemployed for 35 days prior to the
 25 determination of employment for job projects assisted
 26 under this Act; and

27 (4) is a citizen of the United States, is a
 28 national of the United States, is a lawfully admitted
 29 permanent resident alien, is a lawfully admitted refugee
 30 or parolee, or is otherwise authorized by the United
 31 States Attorney General to work in the United States; and

32 (5) is a recipient of assistance under Article IV
 33 of the Illinois Public Aid Code.

1 (b) Limitations.

2 (1) (Blank). Not--more--than--2--individuals--who
3 reside--in--any--household--may--be--eligible--for--a--job
4 assisted-under-this-Act.

5 (2) (Blank). No-individual-whose-earned-income-for
6 the-year-preceding-the-year-in-which-the-determination-of
7 employment-under-this-Act-is-made-is--equal--to--or--more
8 than--\$17,000,--or-who-has-a-combined-family-income-in-the
9 year-in-which-the-determination-of-employment-under--this
10 Act--is--made--which--is--equal-to-or-more-than-\$17,000-a
11 year,--may-be-eligible-for-a-job-assisted-under-this-Act.

12 (3) No individual participating in the job
13 opportunity project assisted under this Act may work in
14 any compensated job other than the job assisted under
15 this Act for more than 20 16 hours per week.

16 (4) Individuals Each--individual participating in
17 the--job--project---assisted---under---this---Act---shall
18 demonstrate,--to--the--project-manager-of-the-job-project
19 assisted under this Act shall,--that-the-individual-sought
20 employment-in-the-private-sector-during-the-35-days-prior
21 to-making-application-for-employment-under-this--Act--and
22 will--continue--to seek employment during the period of
23 employment assisted under this Act.

24 (5) Any individual eligible for retirement benefits
25 under the Social Security Act, under any retirement
26 system for Federal Government employees, under the
27 railroad retirement system, under the military retirement
28 system, under a State or local government pension plan or
29 retirement system, or any private pension program is not
30 eligible to receive a job under a job project assisted
31 under this Act.

32 (Source: P.A. 88-114.)

33 (20 ILCS 1510/30)

1 Sec. 30. Testing--and Education requirements. Any
 2 individual who has not completed high school and who
 3 participates in a job project under this Act may enroll, if
 4 appropriate, in and maintain satisfactory progress in a
 5 secondary school or an adult basic education or GED program.
 6 Any individual with limited English speaking ability may
 7 participate, if appropriate, in an English as a Second
 8 Language program.

9 (a)--Testing--Each-participant-shall-be-tested-for-basie
 10 reading--and--writing--competence--by--the-District-Executive
 11 Council-prior-to-employment-by-a-job-project--assisted--under
 12 this-Act-

13 (b)--Education-Requirement-

14 (1)---Each---participant---who---fails--to--complete
 15 satisfactorily-the--basie--competency--test--required--by
 16 subsection---(a)--of--this--Section--shall--be--furnished
 17 counseling-and-instruction-

18 (2)--Each-participant-in-a--job--project--assisted--under
 19 this-Act-shall,-in-order-to-continue-employment,-maintain
 20 satisfactory--progress--toward--and--receive--a-secondary
 21 school-diploma-or-its-equivalent-

22 (3)--Each--participant--with--limited--English---speaking
 23 ability--may--be--furnished--instruction--as-the-District
 24 Executive-Council-deems-appropriate-

25 (Source: P.A. 88-114.)

26 (20 ILCS 1510/35)

27 Sec. 35. Local Job Projects.

28 (a) General authority. The Department may accept
 29 applications and issue grants for operation of projects under
 30 this Act. Each-District-Executive-Council-shall-select-job
 31 projects-to-be-assisted-under-this--Act.---Each--job--project
 32 selected--for-assistance-shall-provide-employment-to-eligible
 33 participants-

1 (b) Project Objection. Subject to appropriation, no more
 2 than 3 small projects may be selected to pilot a subsidized
 3 employment to Temporary Assistance for Needy Families (TANF)
 4 program for participants for a period of not more than 6
 5 months. The selected projects shall demonstrate their ability
 6 to move clients from participation in the project to
 7 unsubsidized employment. The Department may refer TANF
 8 participants to other subsidized employment programs
 9 available through the Workforce Investment Act (WIA) One
 10 Stops or through other community-based programs. No project
 11 may be selected under this Section if an objection to the
 12 project is filed by 2 representatives appointed under
 13 subparagraph (A) of paragraph (3) of subsection (a) of
 14 Section 20 or by 2 representatives appointed under
 15 subparagraph (B) of paragraph (3) of subsection (a) of
 16 Section 20.

17 (c) Political affiliation prohibited. No manager or
 18 other officer or employee of a District Executive Council or
 19 of the job project assisted under this Act may apply a
 20 political affiliation test in selecting eligible
 21 participation for employment in the project.

22 (d) Limitations.

23 (1) Not more than 10% of the total expenses in any
 24 fiscal year of the job project may be used for
 25 transportation and equipment.

26 (2) (Blank). Not more than 10% of the individuals
 27 employed in any job project assisted under this Act may
 28 be employed to supervise a project. Individuals selected
 29 as supervisors may be selected without regard to the
 30 provisions of Section 25 and may receive wages in excess
 31 of the rate determined under Section 40. The limitation
 32 on the ratio of supervisors to employees shall not apply
 33 where more supervision of eligible participants will
 34 contribute to carrying out the objectives of this Act.

1 (e) Minimum Maximum hours per week employed. No
 2 eligible participant employed in a job project assisted under
 3 this Act may be employed on the project for less more than 30
 4 32 hours per week.

5 (f) (Blank). ~~Project--Progress--Reports;--Each--project~~
 6 ~~manager--shall--prepare--and--submit--to--the--District--Executive~~
 7 ~~Council--monthly--progress--reports--on--the--job--project--assisted~~
 8 ~~under--this--Act.~~

9 (Source: P.A. 88-114.)

10 (20 ILCS 1510/40)

11 Sec. 40. Benefits; supportive services; job clubs.

12 (a) Wages. Each eligible participant who is employed in
 13 job projects assisted under this Act shall receive wages
 14 equal to the higher of (1) the minimum wage under Section
 15 6(a)(1) of the Fair Labor Standards Act of 1938 or (2) the
 16 minimum wage under the applicable minimum wage law, ~~or~~ (3)
 17 ~~the amount which the eligible participant received in welfare~~
 18 ~~benefits pursuant to the State plan approved under Part A of~~
 19 ~~Title IV of the Social Security Act or in the form of~~
 20 ~~unemployment compensation, if applicable, plus 10% of the~~
 21 ~~amount, whichever is higher.~~

22 (b) Benefits. ~~Each eligible participant who is employed~~
 23 ~~in projects assisted under this Act shall be furnished~~
 24 ~~benefits and employment conditions comparable to the benefits~~
 25 ~~and conditions provided to other employees employed in~~
 26 ~~similar occupations by a comparable employer, but No~~
 27 participant shall be eligible for unemployment compensation
 28 during or on the basis of employment in a project.

29 (c) Supportive services. Each eligible participant who
 30 is employed in projects assisted under this Act shall be
 31 eligible for supportive services as provided under rules
 32 developed by the Department, ~~which may include~~
 33 ~~transportation, health care, special services and materials~~

1 for--the-handicapped,--child-care-and-other-services-which-are
2 necessary-to-enable-the-individual-to-participate.

3 (d) Job clubs. All participants shall participate in a
4 job club. The project shall operate or otherwise make
5 arrangements for each participant to participate in a job
6 club. Each-District-Executive-Council-shall-establish-for-the
7 eligible--area-job-clubs-to-assist-eligible-participants-with
8 the-preparation-of-resumes,--the-development--of--interviewing
9 techniques,--evaluation--of-individual-job-search-activities,
10 and-economic-education-classes.

11 (Source: P.A. 88-114.)

12 (20 ILCS 1510/45)

13 Sec. 45. Labor standards applicable to job projects.

14 (a) Conditions of employment.

15 (1) Conditions of employment and training shall be
16 appropriate and reasonable in light of factors such as
17 the type of work, geographical region, and proficiency of
18 the participant.

19 (2) Health and safety standards established under
20 State and Federal law, otherwise applicable to working
21 conditions of employees, shall be equally applicable to
22 working conditions of participants. ~~With-respect-to-any~~
23 ~~participant-in-a-job-project-conducted-under-this-Act-who~~
24 ~~is-engaged-in-activities-which-are-not-covered-by--health~~
25 ~~and--safety--standards--under-the-Occupational-Safety-and~~
26 ~~Health-Act-of-1970,--the--Director--shall--prescribe,--by~~
27 ~~regulation,--standards-as-may-be-necessary-to-protect-the~~
28 ~~health-and-safety-of-a-participant.~~

29 (3) No funds available under this Act may be used
30 for contributions on behalf of any participant to
31 retirement systems or plans.

32 (b) Displacement rules.

33 (1) No currently employed worker shall be displaced

1 by any participant, including partial displacement such
2 as a reduction in the hours of nonovertime work, wages,
3 or employment benefits.

4 (2) No job project shall impair existing contracts
5 for services or collective bargaining agreements, except
6 that no job project under this Act which would be
7 inconsistent with the terms of a collective bargaining
8 agreement shall be undertaken without the written
9 concurrence of the labor organization and employer
10 concerned.

11 (3) No participant shall be employed or job opening
12 filled when any other individual is on layoff from the
13 same or any substantially equivalent job, or when the
14 employer has terminated the employment of any regular
15 employee or otherwise reduced its workforce with the
16 intention of filling the vacancy so created by hiring a
17 participant whose wages are subsidized under this Act.

18 (4) No jobs shall be created in a promotional line
19 that will infringe in any way upon the promotional
20 opportunities of currently employed individuals.

21 (Source: P.A. 88-114.)

22 (20 ILCS 1510/50)

23 Sec. 50. Nondiscrimination.

24 (a) General rule.

25 (1) Discrimination on the basis of age, on the
26 basis of handicap, on the basis of sex, or on the basis
27 of race, color, or national origin is prohibited.

28 (2) No individual shall be excluded from
29 participation in, denied the benefits of, subjected to
30 discrimination under, or denied employment in the
31 administration of or in connection with any project
32 because of race, color, religion, sex, national origin,
33 age, handicap, or political affiliation or belief.

1 (3) (Blank). No-participant-shall-be--employed--on
 2 the---construction,--operation,--or--maintenance--of--any
 3 facility-used-or-to-be-used-for-sectarian-instruction--or
 4 as-a-place-for-religious-worship.

5 (4) With respect to terms and conditions affecting,
 6 or rights provided to, individuals who are participants
 7 in activities supported by funds provided under this Act,
 8 the individuals shall not be discriminated against solely
 9 because of their status as the participants.

10 (b) (Blank). Failure-To-Comply--With--Rules.---Whenever
 11 the-Director-finds-that-a-recipient-has-failed-to-comply-with
 12 subsection--(a)--of--this--Section,--or--with--an--applicable
 13 regulation-prescribed-to-carry-out-this-Section,--the-Director
 14 shall--notify-the-recipient-and-shall-request-compliance.---If
 15 within-a-reasonable-period-of-time,--not-to--exceed--60--days,
 16 the--recipient--fails--or-refuses-to-comply,--the-Director-may
 17 (1)--refer--the--matter--to--the--Attorney--General--with--a
 18 recommendation---that---an---appropriate---civil---action--be
 19 instituted,--or--(2)--take-other-action-as-may--be--provided--by
 20 law.

21 (c) (Blank). Referral--to--Attorney--General.---When-a
 22 matter-is--referred--to--the--Attorney--General--pursuant--to
 23 paragraph--(1)--of--subsection--(b),--or-when-ever-the-Attorney
 24 General-has-reason-to-believe-that-a-recipient-is-engaged--in
 25 a--pattern--or--practice--in-violation-of-subsection-(a),--the
 26 Attorney-General-may-bring-a-civil-action-in-any--appropriate
 27 court--of--the--State--of--Illinois--for--relief--as--may--be
 28 appropriate,--including-injunctive-relief.

29 (Source: P.A. 88-114.)

30 (20 ILCS 1510/55)

31 Sec. 55. Evaluation. Each project District-Executive
 32 Council shall establish and maintain a an-evaluation file for
 33 each individual employed in-a--project--assisted--under--this

1 Act. These files shall be available to the Department upon
2 request. The-evaluation-file-shall-be-made-available-to--the
3 participant--monthly--and-shall-not-be-available-to-any-other
4 person-without-the-consent-of-the-employee.--In-carrying--out
5 the--provisions--of--this--Section, each Council shall assure
6 that-the-participant-will--be--afforded--the--opportunity--to
7 discuss-any-matter-contained-in, or omitted from, the file.
8 (Source: P.A. 88-114.)

9 (20 ILCS 1510/65)

10 Sec. 65. Evaluation. The Department shall conduct an
11 evaluation of the success of the projects funded under this
12 Act. Each project shall cooperate with the Department in the
13 collection of any data needed for the evaluation.
14 Administration.

15 (a)--Accepting-Property-For--Use--Under--This--Act.---The
16 Director--is-authorized, in-carrying-out-this-Act, to-accept,
17 purchase, or-lease-in-the-name-of-the-Department, and--employ
18 or--dispose-of-in-furtherance-of-the-purpose-of-this-Act, any
19 money-or-property, real,--personal,--or--mixed,--tangible--or
20 intangible,--received-by-gift, devise, bequest, or-otherwise,
21 and-to-accept-voluntary-and-uncompensated-services.

22 (b)--General-Administrative-Authority.--The-Director--may
23 make--grants,--contracts, or-agreements, establish-procedures
24 and-make-payments, in-installments, in-advance-or-by--way--of
25 reimbursement,--or--otherwise--allocate-or-expend-funds-under
26 this-Act-as--necessary--to--carry--out--this--Act,--including
27 expenditures--for--construction,--repairs,--and--capital
28 improvements, and-including-necessary-adjustments-in-payments
29 on-account-of-overpayments-or-underpayments.

30 (c)--Waiver-Authority.--The-Director-may-waive:
31 (1)--the--testing--requirement--for-individuals-with
32 handicaps;
33 (2)--the-education-requirement-in-paragraph--(2)--of

1 subsection-(b)-of-Section-30;-and
 2 (3)--subject---to---a--2/3--vote--of--each--District
 3 Executive-Council;-the-requirement-relating-to-a--32-hour
 4 work--week-under-subsection-(e)-of-Section-35-for-unusual
 5 circumstances.

6 (d)--Report;--The-Director-shall-prepare--and--submit--to
 7 the--General--Assembly-an-annual-report-on-the-administration
 8 of-this-Act;--The-Director-shall-include-the-following-in-the
 9 report:

10 (1)--a-summary-of-the--achievements;-failures;-and
 11 problems--of--the--programs--authorized--in--this--Act-in
 12 meeting-the-objective-of-this-Act;-and

13 (2)--recommendations;-including-recommendations--for
 14 legislative--or--administrative--action;-as-the-Director
 15 deems-appropriate.

16 (e)--Audit;--The-Auditor-General-of-the-State-of-Illinois
 17 and-any-authorized-representatives-shall-have-access-for--the
 18 purpose--of--audit--and--examination-to-any-books;-documents;-
 19 papers;-and-records;-of-any-recipient-under-this-Act-that-are
 20 pertinent-to-the-amounts-received-and--disbursed--under--this
 21 Act.

22 (f)--Adoption--of--rules;--The--Director--may--adopt
 23 appropriate-rules-to-carry-out-this-Act.

24 (Source: P.A. 88-114.)

25 (20 ILCS 1510/20 rep.)

26 (20 ILCS 1510/60 rep.)

27 Section 10. The Illinois Guaranteed Job Opportunity Act
 28 is amended by repealing Sections 20 and 60.

29 Section 99. Effective date. This Act takes effect July
 30 1, 2003.