

1 AN ACT concerning guaranteed job opportunity projects.

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 Human Services.

10 "Eligible area" means a county or unit of general local  
11 government that has a population of no more than 300,000.

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

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

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

19 (2) ~~(Blank), will meet the requirements of~~  
20 ~~subsection (f) of Section 35,~~

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

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

25 "Secretary" {e}--"Director" means the Secretary of Human  
26 Services Director of Labor.

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

28 (20 ILCS 1510/15)

29 Sec. 15. Establishment of program. The Department of  
30 Human Services may issue grants for the operation of projects

1 under this Act. The issuance of the grants is subject to the  
2 availability of State or federal funds and at the discretion  
3 of the Secretary of Human Services. Grants shall be made and  
4 projects shall be assisted under this Act only to the extent  
5 that funding from federal sources is available for these  
6 purposes. From the sums appropriated by the General Assembly  
7 for any fiscal year, the Director shall make grants to  
8 Executive Councils established in accordance with Section 20  
9 for the purpose of assisting local job projects which meet  
10 the requirements of this Act. The General Assembly may  
11 appropriate funds for the purposes of this Section from any  
12 appropriate State source or from any appropriate federal  
13 source, regardless of which State agency is the initial  
14 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 shall enroll in  
 4 and maintain satisfactory progress in a secondary school or  
 5 an adult basic education or GED program. Any individual with  
 6 limited English speaking ability shall participate in an  
 7 English as a Second Language program.

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

12           (b)---Education-Requirement-

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

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

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

24           (Source: P.A. 88-114.)

25           (20 ILCS 1510/35)

26           Sec. 35. Local Job Projects.

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

33           (b) Project Objection. Each selected project shall

1 provide subsidized employment to Temporary Assistance for  
 2 Needy Families (TANF) participants for a period of not more  
 3 than 6 months. The selected projects shall demonstrate their  
 4 ability to move clients from participation in the project to  
 5 unsubsidized employment. No project may be selected under  
 6 this Section if an objection to the project is filed by 2  
 7 representatives appointed under subparagraph (A) of paragraph  
 8 (3) of subsection (a) of Section 20 or by 2 representatives  
 9 appointed under subparagraph (B) of paragraph (3) of  
 10 subsection (a) of Section 20.

11 (c) Political affiliation prohibited. No manager or  
 12 other officer or employee of a District Executive Council or  
 13 of the job project assisted under this Act may apply a  
 14 political affiliation test in selecting eligible  
 15 participation for employment in the project.

16 (d) Limitations.

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

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

29 (e) Maximum hours per week employed. No eligible  
 30 participant employed in a job project assisted under this Act  
 31 may be employed on the project for more than 32 hours per  
 32 week.

33 (f) (Blank). Project Progress Reports. Each project  
 34 manager shall prepare and submit to the District Executive

1 Council--monthly-progress-reports-on-the-job-project-assisted  
2 under-this-Act.

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

4 (20 ILCS 1510/40)

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

6 (a) Wages. Each eligible participant who is employed in  
7 job projects assisted under this Act shall receive wages  
8 equal to the higher of (1) the minimum wage under Section  
9 6(a)(1) of the Fair Labor Standards Act of 1938 or (2) the  
10 minimum wage under the applicable minimum wage law, ~~or~~ (3)  
11 the amount which the eligible participant received in welfare  
12 benefits pursuant to the State plan approved under Part A of  
13 Title IV of the Social Security Act or in the form of  
14 unemployment compensation, if applicable, plus 10% of the  
15 amount, whichever is higher.

16 (b) Benefits. Each eligible participant who is employed  
17 in projects assisted under this Act shall be furnished  
18 benefits and employment conditions comparable to the benefits  
19 and conditions provided to other employees employed in  
20 similar occupations by a comparable employer, but No  
21 participant shall be eligible for unemployment compensation  
22 during or on the basis of employment in a project.

23 (c) Supportive services. Each eligible participant who  
24 is employed in projects assisted under this Act shall be  
25 eligible for supportive services as provided under rules  
26 developed by the Department, which may include  
27 transportation, health care, special services and materials  
28 for the handicapped, child care and other services which are  
29 necessary to enable the individual to participate.

30 (d) Job clubs. All participants shall participate in a  
31 job club. The project shall operate or otherwise make  
32 arrangements for each participant to participate in a job  
33 club. Each District Executive Council shall establish for the

1 eligible--area-job-clubs-to-assist-eligible-participants-with  
2 the-preparation-of-resumes,-the-development--of--interviewing  
3 techniques,-evaluation--of-individual-job-search-activities,  
4 and-economic-education-classes.

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

6 (20 ILCS 1510/45)

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

8 (a) Conditions of employment.

9 (1) Conditions of employment and training shall be  
10 appropriate and reasonable in light of factors such as  
11 the type of work, geographical region, and proficiency of  
12 the participant.

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

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

26 (b) Displacement rules.

27 (1) No currently employed worker shall be displaced  
28 by any participant, including partial displacement such  
29 as a reduction in the hours of nonovertime work, wages,  
30 or employment benefits.

31 (2) No job project shall impair existing contracts  
32 for services or collective bargaining agreements, except  
33 that no job project under this Act which would be

1 inconsistent with the terms of a collective bargaining  
2 agreement shall be undertaken without the written  
3 concurrence of the labor organization and employer  
4 concerned.

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

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

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

16 (20 ILCS 1510/50)

17 Sec. 50. Nondiscrimination.

18 (a) General rule.

19 (1) Discrimination on the basis of age, on the  
20 basis of handicap, on the basis of sex, or on the basis  
21 of race, color, or national origin is prohibited.

22 (2) No individual shall be excluded from  
23 participation in, denied the benefits of, subjected to  
24 discrimination under, or denied employment in the  
25 administration of or in connection with any project  
26 because of race, color, religion, sex, national origin,  
27 age, handicap, or political affiliation or belief.

28 (3) (Blank). ~~No participant shall be employed on~~  
29 ~~the construction, operation, or maintenance of any~~  
30 ~~facility used or to be used for sectarian instruction or~~  
31 ~~as a place for religious worship.~~

32 (4) With respect to terms and conditions affecting,  
33 or rights provided to, individuals who are participants



1 in activities supported by funds provided under this Act,  
2 the individuals shall not be discriminated against solely  
3 because of their status as the participants.

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

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

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

24 (20 ILCS 1510/55)

25 Sec. 55. Evaluation. The project Each--District  
26 Executive--Council shall establish--and maintain a an  
27 evaluation file for each individual employed in-a-project  
28 assisted-under-this-Act. These files shall be available to  
29 the Department upon request. The-evaluation-file-shall-be  
30 made-available-to-the-participant-monthly-and--shall--not--be  
31 available--to--any--other--person--without-the-consent-of-the  
32 employee.---In-carrying-out-the-provisions--of--this--Section,  
33 each--Council--shall--assure--that--the--participant--will-be

1 afforded-the-opportunity-to-discuss-any-matter-contained--in,  
2 or-omitted-from-the-file.

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

4 (20 ILCS 1510/65)

5 Sec. 65. Evaluation. The Department shall conduct an  
6 evaluation of the success of the projects funded under this  
7 Act. Each project shall cooperate with the Department in the  
8 collection of any data needed for the evaluation.  
9 Administration.

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

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

25 (c)--Waiver-Authority.---The-Director-may-waive:

26 (1)--the--testing--requirement--for-individuals-with  
27 handicaps;

28 (2)--the-education-requirement-in-paragraph--(2)--of  
29 subsection-(b)-of-Section-30;--and

30 (3)--subject---to---a--2/3--vote--of--each--District  
31 Executive-Council,--the-requirement-relating-to-a--32-hour  
32 work--week-under-subsection-(c)-of-Section-35-for-unusual  
33 circumstances.

1           (d) Report. The Director shall prepare and submit to  
 2 the General Assembly an annual report on the administration  
 3 of this Act. The Director shall include the following in the  
 4 report:

5                 (1) a summary of the achievements, failures, and  
 6 problems of the programs authorized in this Act in  
 7 meeting the objective of this Act; and

8                 (2) recommendations, including recommendations for  
 9 legislative or administrative action, as the Director  
 10 deems appropriate.

11           (e) Audit. The Auditor General of the State of Illinois  
 12 and any authorized representatives shall have access for the  
 13 purpose of audit and examination to any books, documents,  
 14 papers, and records of any recipient under this Act that are  
 15 pertinent to the amounts received and disbursed under this  
 16 Act.

17           (f) Adoption of rules. The Director may adopt  
 18 appropriate rules to carry out this Act.

19           (Source: P.A. 88-114.)

20           (20 ILCS 1510/20 rep.)

21           (20 ILCS 1510/60 rep.)

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

24           Section 99. Effective date. This Act takes effect July  
 25 1, 2002.