

AN ACT concerning State government.

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

Section 1. This Act may be referred to as the Positive Action Act.

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by adding Sections 405-101, 405-123, and 405-124 as follows:

(20 ILCS 405/405-101 new)

Sec. 405-101. Positive action toward addressing systemic racism and barriers to increase workforce diversity in State employment.

(a) The Director will strive to do the following:

(1) identify statutes which impede access and opportunities for minorities and marginalized individuals to gain employment with the State of Illinois and seek legislation to change those statutes to remove barriers to employment; and

(2) identify policies which impede access and opportunities for minorities and marginalized individuals to gain employment with the State of Illinois and make changes to those policies to remove barriers to

employment.

(b) For purposes of this Section, "positive action" means taking proactive leading action to identify statutes and policies which impede access and opportunity for minorities and marginalized individuals to gain employment with the State of Illinois and to seek legislation and make policy changes.

(20 ILCS 405/405-123 new)

Sec. 405-123. State agency interview panel diversity.

(a) Each State agency shall establish the goal of increasing diversity on interview panels in order to increase State employment opportunities provided to women, minority persons, and persons to which the goals of the following programs apply: (i) the African American Employment Plan; (ii) the Hispanic Employment Plan; (iii) the Asian American Employment Plan; (iv) the Native American Employment Plan; and (v) the requirements concerning employment of bilingual persons.

(b) Each State agency shall use in the interview process, if possible, persons that are representative of the persons specified under subsection (a) if the interview being conducted meets the following criteria:

(1) the hiring State agency implements an interview panel for the position consisting of 3 or more panel members; or

(2) the hiring State agency implements a multi-round

interview process consisting of 2 or more rounds for the position.

(c) Each State agency shall submit an annual report to the Department of Central Management Services concerning its actions under this Section, and the Department shall report annually on these actions through the employment plans specified under subsection (a). The report shall include the following:

(1) the number of applicants that were interviewed that are representative of the persons and employment plans specified under subsection (a);

(2) the number of interviews in which the hiring personnel and the applicant were both representative of the persons or employment plans specified under subsection (a); and

(3) the number of applicants that met the criteria of the persons and employment plans specified under subsection (a) that were hired by a State agency.

(d) The requirements of this Section shall not apply to State employment for job titles that are classified as Rutan-exempt, or for which political considerations may be taken into account when hiring personnel.

(20 ILCS 405/405-124 new)

Sec. 405-124. Employees with child support payments. The Department shall increase State employment career counseling

opportunities for individuals who are in arrears on their child support payments. The Department shall dedicate staff to consult with individuals and organizations informed on the subject of non-payment of child support to develop plans for the most effective career counseling opportunities for these individuals.

Section 10. The Personnel Code is amended by changing Section 8b.4 as follows:

(20 ILCS 415/8b.4) (from Ch. 127, par. 63b108b.4)

Sec. 8b.4. For the rejection of candidates or eligibles who fail to comply with reasonable previously specified job requirements of the Director in regard to ~~such factors as age, physical and psychological condition,~~ training and experience; who have been guilty of infamous or disgraceful conduct; ~~who are addicted to alcohol to excess or to controlled substances or uses cannabis;~~ or who have attempted any deception or fraud in connection with an examination. Those candidates who are alleged to have attempted deception or fraud in connection with an examination shall be afforded the opportunity to appeal and provide information to support their appeal which shall be considered when determining their eligibility as a candidate for employment.

(Source: P.A. 77-773.)

Section 99. Effective date. This Act takes effect January

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