

TEAMSTERS JOINT COUNCIL 25



LEGISLATIVE UPDATE

JOHN T. COLI, PRESIDENT

APRIL 12, 2011

Teamsters Joint Council 25 has taken positions on nearly 40 bills during the first session of Illinois' 97th General Assembly. The following positions are organized by the industries and trades the bills may affect.

Illinois General Assembly Passes Film Tax Credit With New Sunset

The Illinois House, on April 8, 2011, unanimously passed a bill to keep the Illinois Film Tax Credit from expiring for the next 10 years.

The House's ruling of 110-0 comes little more than a week after the state Senate unanimously passed the bill on March 30.

"While the Teamsters still believe any sunset clause diminishes the overall impact of the film tax credit, this amendment is far more palatable," said John T. Coli, President of Teamsters Joint Council 25. "We greatly appreciate the leadership on this issue from Rep. Ken Dunkin, who has been a champion of Illinois film production since he joined the House in 2003."

Senate Bill 398, sponsored by Sen. Iris Martinez of Chicago and Rep. Dunkin, will amend Senate Bill 4 in regards to the sunset clause on the state's film tax credit, increasing the sunset to 10 years from five. The latter, which the House passed on March 17, is expected to be called by Senate President John Cullerton within the next week.

The Illinois Film Tax Credit program provides a 30 percent tax

credit based on Illinois Production Spending, plus an additional 15 percent tax credit based on Illinois labor expenditures generated by the employment of residents from areas with high poverty or unemployment rates. Illinois Production Spending means the expenses incurred for an accredited production from final script stage through post-production.

"Throughout this process, labor and business came together to make our position clear," said Coli, Secretary-Treasurer of Local 727, which represents hundreds of workers in the film industry. "We are all part of the state's booming film industry. We especially want to thank all of the members who took the time to call their legislators, as well as President Cullerton and Sen. Martinez for their foresight."

In 2008, the Teamsters fought to have the tax credit sunset clause removed and, since that time, the film industry has seen substantial growth. As a result, Chicago Film Studios is building a studio on the west side that will become the largest North American soundstage outside of Los Angeles.

TRANSPORTATION & CONSTRUCTION

HB 22

TRUCK LENGTH LIMITS

Rep. Jim Sacia (R)

As amended, provides that the length limit for truck tractor-semitrailer combinations is increased from 55 feet to 65 feet. The increased length limit could jeopardize safety in the trucking industry for Teamsters and other drivers. **Status:** Referred to House Rules Committee **Joint Council 25 OPPOSES this bill.**

HB 205

BREWER LICENSING

Rep. Greg Harris (D)

Authorizes smaller beer brewers to distribute their products directly, rather than going through a third party distributor. This bill would negatively impact the nearly 800 Teamsters currently working in the beer distribution industry. **Status:** Referred to House Rules Committee **Joint Council 25 OPPOSES this bill.**

HB 1375

RESPONSIBLE BIDDERS

Rep. Daniel Beiser (D)

Amends the Illinois Procurement Code. Provides that, in order to be considered a responsible bidder under the Procurement Code, all bidders must submit a signed affidavit stating that it will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract.

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Status: Passed the House 116-0
Joint Council 25 SUPPORTS this bill.

HB 1462

COMMERCIAL VEHICLE DISPLAYS

Rep. Daniel Burke (D)

Gives code enforcement officials, employed by units of local government, the power to enforce a provision relating to the display of company insignia on construction vehicles. Provides that if the contractor/sub-contractor corrects an alleged violation prior to adjudication, the code enforcement official shall dismiss the violation.

Status: Passed the House 71-43-0; On 1st Reading in the Senate
Joint Council 25 is MONITORING bill.

HB 2987

PROJECT LABOR AGREEMENTS

Rep. Patrick Verschoore (D)

Creates the Project Labor Agreements Act. The bill codifies an existing Executive Order that pertains to project labor agreements for publicly funded projects.

Status: On 3rd Reading in the House
Joint Council 25 SUPPORTS this bill.

HB 3094

PREVAILING WAGE EXEMPTIONS

Rep. Michael Tryon (R)

Amends the Prevailing Wage Act. Provides that the Act does not apply to projects with a cost of \$20,000 or less.
Status: Referred to House Rules Committee
Joint Council 25 OPPOSES this bill.

HB 3237

PUBLIC WORKS PREVAILING WAGE

Rep. Brandon Phelps (D)

Amends the Prevailing Wage Act to

strengthen enforcement and compliance by increasing a variety of penalties.

Status: On 2nd Reading in the House
Joint Council 25 SUPPORTS this bill.

SB 88

BREWER LICENSING

Sen. Donne Trotter (D)

Allows for smaller beer brewers to have rights that would diminish current work performed by Teamsters.

Status: Referred to Senate Assignments Committee

Joint Council 25 OPPOSES this bill.

SB 1389

PREVAILING WAGE DUE PROCESS

Sen. Dale Righter (R)

Amends the Prevailing Wage Act. Provides a process for investigating violations of the Act, wherein a complaint must be filed within 30 days of the alleged violation. Raises questions regarding enforcement of current law.

Status: Referred to Senate Assignments Committee

Joint Council 25 OPPOSES this bill.

SB 1550

HAULERS PREVAILING WAGE

Sen. William Haine (D)

Amends the Prevailing Wage Act to include the transportation of aggregate or excavated materials to or from a construction site.

Status: Referred to Senate Assignments Committee

Joint Council 25 SUPPORTS this bill.

SB 1735

IDOT CERTIFICATION

Sen. Mike Jacobs (D)

Provides the Illinois Department of

Transportation (IDOT) shall certify USDOL certified apprenticeship programs which have joint labor management boards with the ability to teach, train and test their own members for any quality assurance and control certifications required by the department. The bill is an initiative of Operating Engineers Local 150.

Status: On 3rd Reading in the Senate
Joint Council 25 SUPPORTS this bill.

SB 1851

TRUCK DRIVER CLASSIFICATION

Sen. Gary Forby (D)

Amends the Employee Classification Act. Provides that the term "employment" does not include services performed by an individual as an operator of a truck, truck-tractor or tractor if certain conditions are met.

Status: Referred to Senate Assignments Committee

Joint Council 25 OPPOSES this bill.

SB 1875

RESPONSIBLE BIDDERS

Sen. A. J. Wilhelmi (D)

Creates the Responsible Bidder in Service Contracts Act. Provides certain criteria for "lowest responsible bidder" including exclusions for those who have not violated the prevailing wage law.

Status: Referred to Senate Assignments Committee

Joint Council 25 SUPPORTS this bill.

PUBLIC EMPLOYEES: BENEFITS

HB 151

MATERNITY/PATERNITY LEAVE ACT

Rep. William Davis (D)

Creates the State Employee Maternity,

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Paternity and Adoption Leave Act. Provides that all state employees who provide proof of pregnancy or that of their female partner at least 30 days before the expected due date are eligible for six weeks (30 work days) of paid maternity or paternity leave. Provides that state employees are eligible for six weeks (30 work days) of paid leave with an adoption provided the employee can show the process is underway. **Status:** Referred to House Rules Committee **Joint Council 25 SUPPORTS this bill.**

HB 1201

PUBLIC SAFETY EMPLOYEES

Rep. Joseph Lyons (D)

Amends the Public Safety Employee Benefits Act. Provides that the health insurance benefits provided by the Act apply without regard to whether the employee suffered a catastrophic injury or was killed in the line of duty before, on or after the effective date of the Act. **Status:** Referred to House Rules Committee **Joint Council 25 SUPPORTS this bill.**

HB 1502

PENSIONS FOR NEW HIRES

Rep. Raymond Poe (R)

Amends the Illinois Pension Code. In provisions that are applicable to new hires: (i) provides that a participant is entitled to a retirement annuity upon written application if he or she has attained age 62 (rather than age 67), has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article; and (ii) removes provisions concerning entitlement to a reduced annuity. Amends the State Mandates Act to require implementation

without reimbursement.

Status: Referred to House Rules Committee **Joint Council 25 SUPPORTS this bill.**

SB 36

PENSION FUNDING AND FAIRNESS

Sen. Matt Murphy (R)

Creates the Pension Funding and Fairness Act. Provides that the maximum annual percentage change in state fiscal year spending may not exceed the inflation adjustment factor plus the population adjustment factor. **Status:** Referred to Senate Assignments Committee **Joint Council 25 OPPOSES this bill.**

SB 1592

PUBLIC SAFETY EMPLOYEES

Sen. Antonio Munoz (D)

Amends the Public Safety Employee Benefits Act. Provides that the health insurance benefits provided by the Act apply without regard to whether an employee suffered a catastrophic injury or was killed in the line of duty before, on or after the Act's effective date. **Status:** Referred to Senate Assignments Committee **Joint Council 25 SUPPORTS this bill.**

HJRCA 5

PENSION INCREASES

Speaker Michael Madigan (D)

Proposes to amend the General Provisions Article of the Illinois Constitution. Provides that a bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly, or local government authority, if that bill increases a benefit under any pension or retirement

system of the State, any unit of local government or school district, or any agency or instrumentality thereof. **Status:** Assigned to House Rules Committee **Joint Council 25 OPPOSES this bill.**

PUBLIC EMPLOYEES:
COLLECTIVE BARGAINING

HB 296

PUBLIC LABOR ARBITRATION

Rep. Brandon Phelps (D)

Amends the Illinois Public Labor Relations Act. Provides that if a public employer obtains a stay of an arbitration panel's order pending judicial review and the final decision of the court is adverse, then all reasonable costs of the proceedings in the reviewing courts including attorneys' fees shall be paid by the public employer. **Status:** Referred to House Rules Committee **Joint Council 25 SUPPORTS this bill.**

HB 1673

LABOR ARBITRATION TAXES

Rep. Dave Winters (R)

Amends the Illinois Public Labor Relations Act. Provides that arbitration panels hearing security employee, peace officer, firefighter and paramedic disputes must not consider the ability of a unit of government to raise taxes or impose new taxes when determining the financial ability of that unit to pay the costs associated with wages and conditions of employment. **Status:** Referred to House Rules Committee **Joint Council 25 OPPOSES this bill.**

HB 1849

PUBLIC LABOR ARBITRATION

Rep. Dave Winters (R)

Amends the Illinois Public Labor

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Relations Act. With respect to peace officers, firefighters and security employees—provides that, in the absence of an agreement, an arbitration panel's consideration of the unit of government's ability to meet costs is limited to existing revenues. Requires the arbitration panel to consider the impact of an arbitration award on the municipality's staffing and funding.
Status: Referred to House Rules Committee
Joint Council 25 OPPOSES this bill.

HB 3044

LABOR ARBITRATION STAFFING **Rep. Patricia Bellock (R)**

Amends the Illinois Public Labor Relations Act. Precludes staffing levels from being considered in certain arbitration decisions for peace officers, firefighters and paramedic matters.
Status: Referred to House Rules Committee
Joint Council 25 OPPOSES this bill.

PUBLIC EMPLOYEES: PRIVATIZATION

HB 1091

PUBLIC-PRIVATE PARTNERSHIPS **Rep. Elaine Nekritz (D)**

Creates the Public-Private Partnerships for Transportation Act. Provides the powers for the development, financing and operation of transportation projects through public-private agreements. Discussions are underway to ensure partnership jobs are union jobs.
Status: On 2nd Reading in the House
Joint Council 25 OPPOSES this bill.

SB 146

PUBLIC-PRIVATE PARTNERSHIPS **Sen. Heather Steans (D)**

Similar to HB 1091. Provides the

powers for development, financing and operation of transportation projects through public-private agreements.
Status: Referred to Senate Assignments Committee
Joint Council 25 OPPOSES this bill.

PUBLIC EMPLOYEES:
LAW ENFORCEMENT

HB 1188

WEAPONS FOR DISABLED OFFICERS **Rep. David Harris (R)**

Amends the State Police Act, Counties Code, and Illinois Municipal Code. Authorizes any State Police officer, sheriff, deputy sheriff or municipal peace officer with on-duty disability to carry a concealed weapon.
Status: Referred to House Rules Committee
Joint Council 25 SUPPORTS this bill.

HB 1392

LAW ENFORCEMENT QUOTAS **Rep. John Bradley (D)**

Amends the Counties Code and the Illinois Municipal Code. Provides that a county or municipality may not require a law enforcement officer to issue a specific number of citations or warnings within a designated period of time, particularly as it relates to job performance.
Status: On 2nd Reading in the House
Joint Council 25 SUPPORTS this bill.

SB 1587

STATE POLICE REQUIREMENTS **Sen. Antonio Munoz (D)**

Amends the State Police Act to consider the educational requirement for applicants to be deemed satisfied if the applicant has been honorably

discharged and has been awarded an Afghan or Iraqi campaign medal by one of the United States armed forces.
Status: On 3rd Reading in the Senate
Joint Council 25 SUPPORTS this bill.

SB 1639

CORRECTIONAL OFFICER FIREARMS **Sen. Tim Bivins (R)**

Amends the Criminal Code of 1961, the Unified Code of Corrections and the County Jail Act. Permits currently employed and retired state and county correctional officers to carry their own firearms off duty if certain requirements are met.
Status: Assigned to Senate Public Health Subcommittee
Joint Council 25 SUPPORTS this bill.

SB 1679

PENSION INVESTMENTS **Sen. Jeffrey Schoenberg (D)**

Amends the Downstate Police, Downstate Firefighters and Illinois Municipal Retirement Fund (IMRF) Articles of the Illinois Pension Code. Requires the board of each downstate police and firefighter fund to transfer to the board of trustees of the IMRF for management and administration of all investments owned by the funds. Provides for election of a police officer trustee and a firefighter trustee to the board of trustees of the IMRF.
Status: Referred to Senate Assignments Committee
Joint Council 25 OPPOSES this bill.

SB 1754

JUVENILE DETENTION SAFETY **Sen. John Mulroe (D)**

Provides that an assault against a

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juvenile detention center employee is considered an “aggravated assault” under the Illinois Criminal Code. This is an initiative of Teamsters Local 700 to create a safer working environment for Teamsters at the Cook County Juvenile Temporary Detention Center. **Status:** Passed the Senate 53-0
Joint Council 25 SUPPORTS this bill.

SB 2163

POLICE LICENSING

Sen. Tim Bivins (R)

Amends the Illinois Police Training Act. Requires full- and part-time police officers to be licensed rather than certified. Provides that the Board has the power to require local governmental units to furnish personnel rosters, employment status reports and annual training plans to the Board. Provides that a police officer who has been licensed, certified or granted a valid waiver shall be decertified or have his or her license or waiver revoked upon a determination by the Illinois Labor Relations Board State Panel that he or she knowingly and willfully violated a rule or regulation that would discharge the officer from the agency. Establishes hearing procedures on decertification. **Status:** Referred to Senate Assignments Committee

Joint Council 25 OPPOSES this bill.

PUBLIC EMPLOYEES:
LOCAL GOVERNMENT

HB 1513

WAGE AND BENEFIT OVERPAY

Rep. Lisa Dugan (D)

Amends the Illinois Municipal Code. Provides that a municipality may,

within six months after making an overpayment of wages directly to an employee, deduct the overpayment from the employee’s scheduled wages without written consent. Sets forth conditions that must be met in order for a municipality to deduct wages. **Status:** Passed the House 110-0
Joint Council 25 MONITORING bill.

PUBLIC EMPLOYEES: CLERKS

SB 152

MANDATORY ARBITRATION

Sen. William Haine (D)

Amends the Illinois Insurance Code. Provides that insurers shall arbitrate and settle all disputed claims made for automobile physical damage in accordance with the terms of and rules adopted pursuant to the Nationwide Inter-Company Arbitration Agreement (NICAA) unless the parties agree to another forum. Provides that mandatory arbitration shall be limited solely to the issues of liability and damages. Provides that insurers licensed to issue a policy of automobile insurance shall be signatory of the NICAA or any successor thereto. **Status:** On 2nd Reading in the Senate
Joint Council 25 OPPOSES this bill.

FUNERAL INDUSTRY

HB 180

CONDUCT AT FUNERALS

Rep. Kay Hatcher (R)

Increases the time period and distance for protests at funerals or memorial services to one hour and 1,000 feet (currently 30 minutes and 200 feet). While current law provides protections for protests, this bill may inadvertently

affect the ability to picket an employer. **Status:** Passed the House 114-0
Joint Council 25 OPPOSES this bill.

HB 3014

CONDUCT AT FUNERALS

Rep. Rich Brauer (R)

Increases the distance for funeral protests to 500 feet (currently 200 feet). Current law provides protections for funeral protests and this bill affects a union’s ability to picket an employer. **Status:** On 2nd Reading in the House
Joint Council 25 OPPOSES this bill.

VETERANS

SB 1270

PROCUREMENT FOR VETERANS

Sen. M. Maggie Crotty (D)

Establishes a set-aside goal of 3 percent of all state contracts for veteran-owned small businesses including qualified service disabled veteran business owners. SB 1270 is an initiative of the Teamsters Helmets to Hardhats program. **Status:** On 3rd Reading in the Senate
Joint Council 25 SUPPORTS this bill.

STATE BUDGET

SB 3

STATE BOND RESTRUCTURING

Sen. John Cullerton (D)

Authorizes the state’s ability to issue \$8.7 billion in bonds to restructure debt by using the available funds to pay off the states’ backlog of bills. The state currently owes many vendors, including social service providers, and SB 3 would alleviate fiscal strains. **Status:** Referred to Senate Assignments Committee
Joint Council 25 SUPPORTS this bill.