



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3400

Introduced 2/17/2023, by Rep. William "Will" Davis

SYNOPSIS AS INTRODUCED:

30 ILCS 559/20-25
30 ILCS 559/20-30 new

Amends the Illinois Works Jobs Program Act. Provides that the Illinois Works Review Panel's examination of workforce demographic data collected by the Illinois Department of Labor must include demographic information about the workforce on public work projects contracted by the State or an agency of the State by contractor, race, gender, trade, hours worked by payroll cycle and annually, whether apprentice or journeyworker, and, if an apprentice, which year of apprenticeship, and whether or not the apprentice is a graduate of the Illinois Works Preapprenticeship Program. Provides that individual members of the workforce shall be given a unique identifier so that progress and retention can be tracked without sharing personally identifiable information. Creates the Access and Opportunity Committee to monitor and report on the progress of ensuring that all Illinois residents have access to careers in the construction industry and building trades on current State capital projects, including those who have been historically underrepresented in those trades. Includes provisions regarding Committee membership, powers and duties, and meetings.

LRB103 30655 DTM 57113 b

1 AN ACT concerning finance.

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

4 Section 5. The Illinois Works Jobs Program Act is amended
5 by changing Section 20-25 and by adding Section 20-30 as
6 follows:

7 (30 ILCS 559/20-25)

8 Sec. 20-25. The Illinois Works Review Panel.

9 (a) The Illinois Works Review Panel is created and shall
10 be comprised of 25 members, each serving 3-year terms. The
11 Speaker of the House of Representatives and the President of
12 the Senate shall each appoint 5 members within 30 days after
13 the effective date of this amendatory Act of the 101st General
14 Assembly. The Minority Leader of the House of Representatives
15 and the Minority Leader of the Senate shall each appoint 5
16 members within 30 days after the effective date of this
17 amendatory Act of the 101st General Assembly. The Director of
18 Commerce and Economic Opportunity, or his or her designee,
19 shall serve as a member. The Governor shall appoint the
20 following individuals to serve as members within 30 days after
21 the effective date of this amendatory Act of the 101st General
22 Assembly: a representative from a contractor organization; a
23 representative from a labor organization; and 2 members of the

1 public with workforce development expertise, one of whom shall
2 be a representative of a nonprofit organization that addresses
3 workforce development.

4 (b) The members of the Illinois Works Review Panel shall
5 make recommendations to the Department regarding
6 identification and evaluation of community-based
7 organizations.

8 (c) The Illinois Works Review Panel shall meet, at least
9 quarterly, to review and evaluate (i) the Illinois Works
10 Preapprenticeship Program and the Illinois Works
11 Apprenticeship Initiative, (ii) ideas to diversify the trainee
12 corps in the Illinois Works Preapprenticeship Program and the
13 workforce in the construction industry in Illinois, (iii)
14 ideas to increase diversity in active apprenticeship programs
15 in Illinois, and (iv) workforce demographic data collected by
16 the Illinois Department of Labor, including demographic
17 information about the workforce on public work projects
18 contracted by the State or an agency of the State by
19 contractor, race, gender, trade, hours worked by payroll cycle
20 and annually, whether apprentice or journeyworker, and, if an
21 apprentice, which year of apprenticeship, and whether or not
22 they are a graduate of the Illinois Works Preapprenticeship
23 Program. Individual members of the workforce shall be given a
24 unique identification so that progress and retention can be
25 tracked without sharing personally identifiable information.
26 The Illinois Works Review Panel shall hold its initial meeting

1 no later than 45 days after the effective date of this
2 amendatory Act of the 101st General Assembly.

3 (d) All State contracts and grant agreements funding State
4 contracts shall include a requirement that the contractor and
5 subcontractor shall, upon reasonable notice, appear before and
6 respond to requests for information from the Illinois Works
7 Review Panel.

8 (e) By August 1, 2020, and every August 1 thereafter, the
9 Illinois Works Review Panel shall report to the General
10 Assembly on its evaluation of the Illinois Works
11 Preapprenticeship Program and the Illinois Works
12 Apprenticeship Initiative, including any recommended
13 modifications.

14 (Source: P.A. 101-31, eff. 6-28-19; 101-601, eff. 12-10-19;
15 101-633, eff. 6-5-20.)

16 (30 ILCS 559/20-30 new)

17 Sec. 20-30. Access and Opportunity Committee.

18 (a) The Access and Opportunity Committee is created to
19 monitor and report on the progress of ensuring that all
20 Illinois residents have access to careers in the construction
21 industry and building trades on current State capital
22 projects, including those who have been historically
23 underrepresented in those trades. It shall be administered by
24 the Department and comprised of 17 members. The Director of
25 Commerce and Economic Opportunity, Secretary of

1 Transportation, Director of the Environmental Protection
2 Agency, the Secretary of Labor, and the Executive Director of
3 the Capital Development Board, or their designees, shall serve
4 as members. The Governor shall appoint the following
5 individuals to serve as members within 30 days after the
6 effective date of this amendatory Act of the 103rd General
7 Assembly: 4 representatives from a contractor organization; 4
8 representatives from a labor organization; and 4
9 representatives of community based providers of the Illinois
10 Works Preapprenticeship Program that serve underrepresented
11 populations, including women and racial and ethnic minorities,
12 for the purposes of increasing their presence in the
13 construction workforce.

14 (b) The Access and Opportunity Committee shall have the
15 powers and duty to:

16 (1) Review workforce data reports with demographic
17 information, including weekly certified payroll reports,
18 on current and recently completed public works projects
19 contracted by the State or an agency of the State. The
20 weekly certified payroll reports must be reviewed and
21 analyzed in a timely manner, but no more than 2 weeks after
22 the dates of employment. The review of workforce data must
23 include a review of the skill development and retention of
24 all apprentices and all underrepresented populations.

25 (2) Review documentation of affirmative action steps
26 taken under 41 CFR 60.4-3(a) (7) from contractors who have

1 submitted bids on upcoming public works projects
2 contracted by the State or an agency of the State in
3 compliance with Section 30-22 of the Illinois Procurement
4 Code, as well as their previous performance hiring
5 underrepresented populations if available.

6 (3) Review any claims of good faith effort by
7 contractors and advise on corrective action plans as
8 needed.

9 (4) Advise on benchmarks to measure success on
10 outreach, access, and retention of diverse construction
11 workforce on public works projects contracted by the State
12 or an agency of the State.

13 (5) Advise on a formula for penalties that will
14 encourage compliance with Section 30-22 of the Illinois
15 Procurement Code by contractors.

16 (6) Issue a report to the Illinois Works Review Panel
17 at its quarterly meeting that includes an evaluation of
18 progress toward increasing racial, ethnic, and gender
19 equity on public works projects and offer recommendations
20 for the following quarter that would include
21 recommendations for contractor eligibility to participate
22 on public works projects contracted by the State or an
23 agency of the State and the effectiveness of current
24 strategies to diversify the workforce.

25 (c) The Access and Opportunity Committee shall meet
26 monthly.