

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

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

17 (d) Limitations.

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

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

30 (e) Minimum Maximum hours per week employed. No
 31 eligible participant employed in a job project assisted under
 32 this Act may be employed on the project for less more than 30
 33 32 hours per week.

34 (f) (Blank). ~~Project Progress Reports. Each project~~

1 manager--shall--prepare--and-submit-to-the-District-Executive
2 Council-monthly-progress-reports-on-the-job-project--assisted
3 under-this-Act.

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

5 (20 ILCS 1510/40)

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

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

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

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

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

1 ~~club. Each District Executive Council shall establish for the~~
 2 ~~eligible area job clubs to assist eligible participants with~~
 3 ~~the preparation of resumes, the development of interviewing~~
 4 ~~techniques, evaluation of individual job search activities,~~
 5 ~~and economic education classes.~~

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

7 (20 ILCS 1510/45)

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

9 (a) Conditions of employment.

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

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

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

27 (b) Displacement rules.

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

32 (2) No job project shall impair existing contracts
 33 for services or collective bargaining agreements, except

1 that no job project under this Act which would be
2 inconsistent with the terms of a collective bargaining
3 agreement shall be undertaken without the written
4 concurrence of the labor organization and employer
5 concerned.

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

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

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

17 (20 ILCS 1510/50)
18 Sec. 50. Nondiscrimination.

19 (a) General rule.

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

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

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

33 (4) With respect to terms and conditions affecting,

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

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

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

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

25 (20 ILCS 1510/55)

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

1 each-Council--shall--assure--that--the--partieipant--will--be
2 afforded--the-opportunity-to-discuss-any-matter-contained-in,
3 or-omitted-from,
4 the-file.

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

5 (20 ILCS 1510/65)

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

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

31 (b)--General--Administrative-Authority.--The-Director-may
32 make-grants,
33 contracts,
34 or-agreements,
35 --establish--procedures
36 and--make--payments,
37 in-installments,
38 in-advance-or-by-way-of
39 reimbursement,
40 or--otherwise-allocate-or--expend--funds--under
41 this--Act--as--necessary--to--carry--out--this-Act,
42 including
43 expenditures--for--construction,
44 --repairs,
45 --and--capital
46 improvements,
47 and-including-necessary-adjustments-in-payments
48 on-account-of-overpayments-or-underpayments.

49 (c)--Waiver-Authority.--The-Director-may-waive:
50 (1)--the-testing-requirement--for--individuals--with
51 handicaps;
52 (2)--the--education--requirement-in-paragraph-(2)-of
53 subsection-(b)-of-Section-30;-and
54 (3)--subject--to--a--2/3--vote--of--each--District
55 Executive--Council,
56 the-requirement-relating-to-a-32-hour
57 work-week-under-subsection-(e)-of-Section-35-for--unusual

1 circumstances.

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

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

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

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

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

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

21 (20 ILCS 1510/20 rep.)

22 (20 ILCS 1510/60 rep.)

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

25 Section 99. Effective date. This Act takes effect July
26 1, 2002.