

SB3702



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3702

Introduced 2/9/2024, by Sen. Paul Faraci

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-5

Amends the State Officials and Employees Ethics Act. Provides that in addition to other provisions, State employees of public institutions of higher learning classified as faculty (including tenure system and nontenure system), and those not eligible for overtime pay, may satisfy the time sheets requirement by complying with the terms of their contracts or employment agreements with the public institution of higher learning, which shall provide for a means of compliance with the requirement.

LRB103 36787 MXP 66897 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The State Officials and Employees Ethics Act is
5 amended by changing Section 5-5 as follows:

6 (5 ILCS 430/5-5)

7 Sec. 5-5. Personnel policies.

8 (a) Each of the following shall adopt and implement
9 personnel policies for all State employees under his, her, or
10 its jurisdiction and control: (i) each executive branch
11 constitutional officer, (ii) each legislative leader, (iii)
12 the Senate Operations Commission, with respect to legislative
13 employees under Section 4 of the General Assembly Operations
14 Act, (iv) the Speaker of the House of Representatives, with
15 respect to legislative employees under Section 5 of the
16 General Assembly Operations Act, (v) the Joint Committee on
17 Legislative Support Services, with respect to State employees
18 of the legislative support services agencies, (vi) members of
19 the General Assembly, with respect to legislative assistants,
20 as provided in Section 4 of the General Assembly Compensation
21 Act, (vii) the Auditor General, (viii) the Board of Higher
22 Education, with respect to State employees of public
23 institutions of higher learning except community colleges, and

1 (ix) the Illinois Community College Board, with respect to
2 State employees of community colleges. The Governor shall
3 adopt and implement those policies for all State employees of
4 the executive branch not under the jurisdiction and control of
5 any other executive branch constitutional officer.

6 (b) The policies required under subsection (a) shall be
7 filed with the appropriate ethics commission established under
8 this Act or, for the Auditor General, with the Office of the
9 Auditor General.

10 (c) The policies required under subsection (a) shall
11 include policies relating to work time requirements,
12 documentation of time worked, documentation for reimbursement
13 for travel on official State business, compensation, and the
14 earning or accrual of State benefits for all State employees
15 who may be eligible to receive those benefits. No later than 30
16 days after the effective date of this amendatory Act of the
17 100th General Assembly, the policies shall include, at a
18 minimum: (i) a prohibition on sexual harassment; (ii) details
19 on how an individual can report an allegation of sexual
20 harassment, including options for making a confidential report
21 to a supervisor, ethics officer, Inspector General, or the
22 Department of Human Rights; (iii) a prohibition on retaliation
23 for reporting sexual harassment allegations, including
24 availability of whistleblower protections under this Act, the
25 Whistleblower Act, and the Illinois Human Rights Act; and (iv)
26 the consequences of a violation of the prohibition on sexual

1 harassment and the consequences for knowingly making a false
2 report. The policies shall comply with and be consistent with
3 all other applicable laws. The policies shall require State
4 employees to periodically submit time sheets documenting the
5 time spent each day on official State business to the nearest
6 quarter hour; contractual State employees may satisfy the time
7 sheets requirement by complying with the terms of their
8 contract, which shall provide for a means of compliance with
9 this requirement. In addition, State employees of public
10 institutions of higher learning classified as faculty
11 (including tenure system and nontenure system), and those not
12 eligible for overtime pay as defined by the Fair Labor
13 Standards Act, may satisfy the time sheets requirement by
14 complying with the terms of their contracts or employment
15 agreements with the public institution of higher learning,
16 which shall provide for a means of compliance with this
17 requirement. The policies for State employees shall require
18 those time sheets to be submitted on paper, electronically, or
19 both and to be maintained in either paper or electronic format
20 by the applicable fiscal office for a period of at least 2
21 years.

22 (d) The policies required under subsection (a) shall be
23 adopted by the applicable entity before February 1, 2004 and
24 shall apply to State employees beginning 30 days after
25 adoption.

26 (Source: P.A. 100-554, eff. 11-16-17.)