

1 AMENDMENT TO HOUSE BILL 696

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 696 by replacing  
3 everything after the enacting clause with the following:

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 Commerce and  
10 Community Affairs.

11 "Eligible area" means a county, township, municipality,  
12 or ward or precinct of a municipality .

13 {a} "Participant" means an individual who is determined  
14 to be eligible under Section 25.

15 {b} "Project" means the definable task or group of tasks  
16 which:

17 (1) will be carried out by a public agency, a  
18 private nonprofit organization, a private contractor, or  
19 a cooperative,

20 (2) (blank), ~~will---meet---the---requirements---of~~  
21 ~~subsection-(f)-of-Section-35,~~

22 (3) will result in a specific product or

1 accomplishment, and

2 (4) would not otherwise be conducted with existing  
3 funds.

4 (e) "Director" means the Director of Commerce and  
5 Community Affairs ~~Director of Labor~~.

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

7 (20 ILCS 1510/15)

8 Sec. 15. Establishment of program. The Department may  
9 issue grants for the operation of projects under this Act.

10 The issuance of the grants is subject to the availability of  
11 State or federal funds and at the discretion of the Director.

12 ~~Grants--shall--be--made--and--projects--shall--be--assisted--under~~  
13 ~~this--Act--only--to--the--extent--that--funding--from--federal--sources~~

14 ~~is--available--for--those--purposes--From--the--sums--appropriated~~  
15 ~~by--the--General--Assembly--for--any--fiscal--year--the--Director~~

16 ~~shall--make--grants--to--Executive--Councils--established--in~~  
17 ~~accordance--with--Section--20--for--the--purpose--of--assisting--local~~

18 ~~job--projects--which--meet--the--requirements--of--this--Act.~~ The  
19 General Assembly may appropriate funds for the purposes of

20 this Section from any appropriate State source or from any  
21 appropriate federal source, regardless of which State agency

22 is the initial recipient of the federal funds.

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

24 (20 ILCS 1510/25)

25 Sec. 25. Program eligibility.

26 (a) General Rule. An individual is eligible to  
27 participate in the job projects assisted under this Act if  
28 the individual:

29 (1) is at least 16 years of age;

30 (2) has resided in the eligible area for at least  
31 30 days;

32 (3) has been unemployed for 35 days prior to the

1 determination of employment for job projects assisted  
2 under this Act; and

3 (4) is a citizen of the United States, is a  
4 national of the United States, is a lawfully admitted  
5 permanent resident alien, is a lawfully admitted refugee  
6 or parolee, or is otherwise authorized by the United  
7 States Attorney General to work in the United States; and

8 (5) is a recipient of assistance under Article IV  
9 of the Illinois Public Aid Code.

10 (b) Limitations.

11 (1) (Blank). ~~Not--more--than--2--individuals--who~~  
12 ~~reside--in--any--household--may--be--eligible--for--a--job~~  
13 ~~assisted-under-this-Act.~~

14 (2) (Blank). ~~No--individual--whose--earned--income--for~~  
15 ~~the--year--preceding--the--year--in--which--the--determination--of~~  
16 ~~employment--under--this--Act--is--made--is--equal--to--or--more~~  
17 ~~than--\$17,000,--or--who--has--a--combined--family--income--in--the~~  
18 ~~year--in--which--the--determination--of--employment--under--this~~  
19 ~~Act--is--made--which--is--equal--to--or--more--than--\$17,000--a~~  
20 ~~year,--may--be--eligible--for--a--job--assisted--under--this--Act.~~

21 (3) No individual participating in the job  
22 opportunity project assisted under this Act may work in  
23 any compensated job other than the job assisted under  
24 this Act for more than 20 16 hours per week.

25 (4) Individuals ~~Each--individual~~ participating in  
26 ~~the--job--project--assisted--under--this--Act--shall~~  
27 ~~demonstrate,--to--the--project--manager--of--the--job--project~~  
28 ~~assisted under this Act shall,--that--the--individual--sought~~  
29 ~~employment--in--the--private--sector--during--the--35--days--prior~~  
30 ~~to--making--application--for--employment--under--this--Act--and~~  
31 ~~will--continue--to~~ seek employment during the period of  
32 employment assisted under this Act.

33 (5) Any individual eligible for retirement benefits  
34 under the Social Security Act, under any retirement

1 system for Federal Government employees, under the  
 2 railroad retirement system, under the military retirement  
 3 system, under a State or local government pension plan or  
 4 retirement system, or any private pension program is not  
 5 eligible to receive a job under a job project assisted  
 6 under this Act.

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

8 (20 ILCS 1510/30)

9 Sec. 30. Testing--and Education requirements. Any  
 10 individual who has not completed high school and who  
 11 participates in a job project under this Act may enroll, if  
 12 appropriate, in and maintain satisfactory progress in a  
 13 secondary school or an adult basic education or GED program.  
 14 Any individual with limited English speaking ability may  
 15 participate, if appropriate, in an English as a Second  
 16 Language program.

17 (a)--Testing--Each-participant-shall-be-tested-for-basie  
 18 reading--and--writing--competence--by--the-District-Executive  
 19 Council-prior-to-employment-by-a-job-project--assisted--under  
 20 this-Act-

21 (b)--Education-Requirement-

22 (1)---Each---participant---who---fails--to--complete  
 23 satisfactorily-the--basie--competency--test--required--by  
 24 subsection---(a)--of--this--Section--shall--be--furnished  
 25 counseling-and-instruction-

26 (2)--Each-participant-in-a--job--project--assisted--under  
 27 this-Act-shall,-in-order-to-continue-employment,-maintain  
 28 satisfactory--progress--toward--and--receive--a-secondary  
 29 school-diploma-or-its-equivalent-

30 (3)--Each--participant--with--limited--English---speaking  
 31 ability--may--be--furnished--instruction--as-the-District  
 32 Executive-Council-deems-appropriate-

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

1 (20 ILCS 1510/35)

2 Sec. 35. Local Job Projects.

3 (a) General authority. The Department may accept  
4 applications and issue grants for operation of projects under  
5 this Act. ~~Each District Executive Council shall select job~~  
6 ~~projects to be assisted under this Act. Each job project~~  
7 ~~selected for assistance shall provide employment to eligible~~  
8 ~~participants.~~

9 (b) Project objection. Subject to appropriation, no more  
10 than 3 small projects may be selected to pilot a subsidized  
11 employment to Temporary Assistance for Needy Families (TANF)  
12 program for participants for a period of not more than 6  
13 months. The selected projects shall demonstrate their ability  
14 to move clients from participation in the project to  
15 unsubsidized employment. The Department may refer TANF  
16 participants to other subsidized employment programs  
17 available through the Workforce Investment Act (WIA) One  
18 Stops or through other community-based programs. ~~No project~~  
19 ~~may be selected under this Section if an objection to the~~  
20 ~~project is filed by 2 representatives appointed under~~  
21 ~~subparagraph (A) of paragraph (3) of subsection (a) of~~  
22 ~~Section 20 or by 2 representatives appointed under~~  
23 ~~subparagraph (B) of paragraph (3) of subsection (a) of~~  
24 ~~Section 20.~~

25 (c) Political affiliation prohibited. No manager or  
26 other officer or employee of a ~~District Executive Council~~ or  
27 of the job project assisted under this Act may apply a  
28 political affiliation test in selecting eligible  
29 participation for employment in the project.

30 (d) Limitations.

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

34 (2) (Blank). ~~Not more than 10% of the individuals~~

1 employed-in-any-job-project-assisted-under-this--Act--may  
 2 be-employed-to-supervise-a-project.--Individuals-selected  
 3 as--supervisors--may--be--selected--without-regard-to-the  
 4 provisions-of-Section-25-and-may-receive-wages-in--excess  
 5 of--the-rate-determined-under-Section-40.--The-limitation  
 6 on-the-ratio-of-supervisors-to-employees-shall-not--apply  
 7 where--more--supervision--of--eligible--participants-will  
 8 contribute-to-carrying-out-the-objectives-of-this-Act.

9 (e) Minimum Maximum hours per week employed. No  
 10 eligible participant employed in a job project assisted under  
 11 this Act may be employed on the project for less more than 30  
 12 32 hours per week.

13 (f) (Blank). Project--Progress--Reports.--Each-project  
 14 manager-shall-prepare-and-submit-to--the--District--Executive  
 15 Council--monthly-progress-reports-on-the-job-project-assisted  
 16 under-this-Act.

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

18 (20 ILCS 1510/40)

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

20 (a) Wages. Each eligible participant who is employed in  
 21 job projects assisted under this Act shall receive wages  
 22 equal to the higher of (1) the minimum wage under Section  
 23 6(a)(1) of the Fair Labor Standards Act of 1938 or (2) the  
 24 minimum wage under the applicable minimum wage law, ~~or~~ (3)  
 25 the-amount-which-the-eligible-participant-received-in-welfare  
 26 benefits-pursuant-to-the-State-plan-approved-under-Part-A--of  
 27 Title--IV--of--the--Social--Security--Act--or--in-the-form-of  
 28 unemployment-compensation, if applicable, plus 10% of the  
 29 amount, whichever is higher.

30 (b) Benefits.--Each-eligible-participant-who-is-employed  
 31 in--projects--assisted--under--this--Act--shall--be-furnished  
 32 benefits-and-employment-conditions-comparable-to-the-benefits  
 33 and--conditions--provided--to--other--employees--employed--in

1 similar--occupations--by--a--comparable--employer,--but No  
2 participant shall be eligible for unemployment compensation  
3 during or on the basis of employment in a project.

4 (c) Supportive services. Each eligible participant who  
5 is employed in projects assisted under this Act shall be  
6 eligible for supportive services as provided under rules  
7 developed by the Department,---which---may---include  
8 transportation, health-care, special-services--and--materials  
9 for--the-handicapped, child-care-and-other-services-which-are  
10 necessary-to-enable-the-individual-to-participate.

11 (d) Job clubs. All participants shall participate in a  
12 job club. The project shall operate or otherwise make  
13 arrangements for each participant to participate in a job  
14 club. Each-District-Executive-Council-shall-establish-for-the  
15 eligible--area-job-clubs-to-assist-eligible-participants-with  
16 the-preparation-of-resumes, the-development--of--interviewing  
17 techniques,--evaluation--of-individual-job-search-activities,  
18 and-economic-education-classes.

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

20 (20 ILCS 1510/45)

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

22 (a) Conditions of employment.

23 (1) Conditions of employment and training shall be  
24 appropriate and reasonable in light of factors such as  
25 the type of work, geographical region, and proficiency of  
26 the participant.

27 (2) Health and safety standards established under  
28 State and Federal law, otherwise applicable to working  
29 conditions of employees, shall be equally applicable to  
30 working conditions of participants. With-respect-to-any  
31 participant-in-a-job-project-conducted-under-this-Act-who  
32 is-engaged-in-activities-which-are-not-covered-by--health  
33 and--safety--standards--under-the-Occupational-Safety-and

1 Health-Act-of-1970,--the--Director--shall--prescribe,--by  
2 regulation,--standards-as-may-be-necessary-to-protect-the  
3 health-and-safety-of-a-participant.

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

7 (b) Displacement rules.

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

12 (2) No job project shall impair existing contracts  
13 for services or collective bargaining agreements, except  
14 that no job project under this Act which would be  
15 inconsistent with the terms of a collective bargaining  
16 agreement shall be undertaken without the written  
17 concurrence of the labor organization and employer  
18 concerned.

19 (3) No participant shall be employed or job opening  
20 filled when any other individual is on layoff from the  
21 same or any substantially equivalent job, or when the  
22 employer has terminated the employment of any regular  
23 employee or otherwise reduced its workforce with the  
24 intention of filling the vacancy so created by hiring a  
25 participant whose wages are subsidized under this Act.

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

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

30 (20 ILCS 1510/50)

31 Sec. 50. Nondiscrimination.

32 (a) General rule.

33 (1) Discrimination on the basis of age, on the

1 basis of handicap, on the basis of sex, or on the basis  
2 of race, color, or national origin is prohibited.

3 (2) No individual shall be excluded from  
4 participation in, denied the benefits of, subjected to  
5 discrimination under, or denied employment in the  
6 administration of or in connection with any project  
7 because of race, color, religion, sex, national origin,  
8 age, handicap, or political affiliation or belief.

9 (3) (Blank). ~~No participant shall be employed on  
10 the construction, operation, or maintenance of any  
11 facility used or to be used for sectarian instruction or  
12 as a place for religious worship.~~

13 (4) With respect to terms and conditions affecting,  
14 or rights provided to, individuals who are participants  
15 in activities supported by funds provided under this Act,  
16 the individuals shall not be discriminated against solely  
17 because of their status as the participants.

18 (b) (Blank). ~~Failure To Comply With Rules. Whenever  
19 the Director finds that a recipient has failed to comply with  
20 subsection (a) of this Section, or with an applicable  
21 regulation prescribed to carry out this Section, the Director  
22 shall notify the recipient and shall request compliance. If  
23 within a reasonable period of time, not to exceed 60 days,  
24 the recipient fails or refuses to comply, the Director may  
25 (1) refer the matter to the Attorney General with a  
26 recommendation that an appropriate civil action be  
27 instituted, or (2) take other action as may be provided by  
28 law.~~

29 (c) (Blank). ~~Referral to Attorney General. When a  
30 matter is referred to the Attorney General pursuant to  
31 paragraph (1) of subsection (b), or whenever the Attorney  
32 General has reason to believe that a recipient is engaged in  
33 a pattern or practice in violation of subsection (a), the  
34 Attorney General may bring a civil action in any appropriate~~

1 court--of--the--State--of--Illinois--for--relief--as--may--be  
 2 appropriate, including injunctive relief.  
 3 (Source: P.A. 88-114.)

4 (20 ILCS 1510/55)

5 Sec. 55. Evaluation. Each project District-Executive  
 6 Council shall establish and maintain a an-evaluation file for  
 7 each individual employed in-a--project--assisted--under--this  
 8 Act. These files shall be available to the Department upon  
 9 request. The-evaluation-file-shall-be-made-available-to--the  
 10 participant--monthly--and-shall-not-be-available-to-any-other  
 11 person-without-the-consent-of-the-employee.--In-carrying--out  
 12 the--provisions--of--this--Section, each-Council-shall-assure  
 13 that-the-participant-will--be--afforded--the--opportunity--to  
 14 discuss-any-matter-contained-in, or-omitted-from, the-file.  
 15 (Source: P.A. 88-114.)

16 (20 ILCS 1510/65)

17 Sec. 65. Evaluation. The Department shall conduct an  
 18 evaluation of the success of the projects funded under this  
 19 Act. Each project shall cooperate with the Department in the  
 20 collection of any data needed for the evaluation.  
 21 Administration.

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

29 (b)--General-Administrative-Authority.--The-Director--may  
 30 make--grants,--contracts, or-agreements, establish-procedures  
 31 and-make-payments, in-installments, in-advance-or-by--way--of  
 32 reimbursement,--or--otherwise--allocate-or-expend-funds-under

1 this Act as necessary to carry out this Act, including  
2 expenditures for construction, repairs, and capital  
3 improvements, and including necessary adjustments in payments  
4 on account of overpayments or underpayments.

5 (c) Waiver Authority. The Director may waive:

6 (1) the testing requirement for individuals with  
7 handicaps;

8 (2) the education requirement in paragraph (2) of  
9 subsection (b) of Section 30; and

10 (3) subject to a 2/3 vote of each District  
11 Executive Council, the requirement relating to a 32-hour  
12 work week under subsection (e) of Section 35 for unusual  
13 circumstances.

14 (d) Report. The Director shall prepare and submit to  
15 the General Assembly an annual report on the administration  
16 of this Act. The Director shall include the following in the  
17 report:

18 (1) a summary of the achievements, failures, and  
19 problems of the programs authorized in this Act in  
20 meeting the objective of this Act; and

21 (2) recommendations, including recommendations for  
22 legislative or administrative action, as the Director  
23 deems appropriate.

24 (e) Audit. The Auditor General of the State of Illinois  
25 and any authorized representatives shall have access for the  
26 purpose of audit and examination to any books, documents,  
27 papers, and records of any recipient under this Act that are  
28 pertinent to the amounts received and disbursed under this  
29 Act.

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

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

33 (20 ILCS 1510/20 rep.)

1 (20 ILCS 1510/60 rep.)

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

4 Section 99. Effective date. This Act takes effect July  
5 1, 2003."