



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/05/04, by Dan Reitz

SYNOPSIS AS INTRODUCED:

820 ILCS 130/5

from Ch. 48, par. 39s-5

Amends the Prevailing Wage Act. Requires that a public body designate a representative to maintain a daily job log; requires that the log contain the name of each contractor and subcontractor that participates on the public works project. Requires that employees sign their names and the times they report to and leave the job site. Provides that a willful violation of the job log provisions by a representative of a public body is a Class B misdemeanor. Requires that each contractor and subcontractor submit to the public body a copy of an official State or federal photo identification for each individual who performs work on a project. Requires workers to produce a photo ID upon request, and requires contractors and subcontractors to ensure workers' compliance. Makes a contractor or subcontractor's violation of the photo ID provisions a Class B misdemeanor.

LRB093 20818 DRJ 46742 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning employment.

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

4 Section 5. The Prevailing Wage Act is amended by changing
5 Section 5 as follows:

6 (820 ILCS 130/5) (from Ch. 48, par. 39s-5)

7 (Text of Section before amendment by P.A. 93-38)

8 Sec. 5. The contractor and each subcontractor or the
9 officer of the public body in charge of the project shall keep
10 or cause to be kept, an accurate record showing the names and
11 occupation of all laborers, workers and mechanics employed by
12 them, in connection with said public work, and showing also the
13 actual hourly wages paid to each of such persons, which record
14 shall be open at all reasonable hours to the inspection of the
15 public body awarding the contract, its officers and agents, and
16 to the Director of Labor and his deputies and agents. Any
17 contractor or subcontractor that maintains its principal place
18 of business outside of this State shall make the required
19 records or accurate copies of those records available within
20 this State at all reasonable hours for inspection.

21 (Source: P.A. 92-783, eff. 8-6-02.)

22 (Text of Section after amendment by P.A. 93-38)

23 Sec. 5. The contractor and each subcontractor or the
24 officer of the public body in charge of the project shall make
25 and keep, for a period of not less than 3 years, true and
26 accurate records of the name, address, telephone number when
27 available, social security number, and occupation of all
28 laborers, workers and mechanics employed by them, in connection
29 with said public work. The records shall also show the actual
30 hourly wages paid in each pay period to each employee and the
31 hours worked each day in each work week by each employee. While

1 participating on public works, each contractor's payroll
2 records shall include the starting and ending times of work for
3 each employee. The record shall be open at all reasonable hours
4 to the inspection of the public body awarding the contract, its
5 officers and agents, and to the Director of Labor and his
6 deputies and agents. Any contractor or subcontractor that
7 maintains its principal place of business outside of this State
8 shall make the required records or accurate copies of those
9 records available within this State at all reasonable hours for
10 inspection.

11 The public body shall designate a representative from
12 either the public body, the general contractor, or the project
13 manager to maintain a daily job log containing the name of each
14 contractor and subcontractor that participates on the public
15 works project. The representative shall also require that each
16 employee, while participating at the site of a building or
17 construction job, (i) sign his or her name, time of reporting
18 to the job site, and time of leaving the job site each day the
19 employee participates on the public works project, and (ii)
20 list the employer's name the employee is associated with along
21 with the labor classification or classifications the employee
22 performed while employed on the public works project. This
23 document shall be maintained at the job site in an area readily
24 accessible to each worker. Any officer, agent, or
25 representative of any public body who willfully violates, or
26 fails to comply with, this paragraph is guilty of a Class B
27 misdemeanor.

28 Each contractor and subcontractor that employs any
29 individual on a public works project shall submit to the public
30 body that contracted for the public works project a true and
31 clear copy of a valid official State or federal photo
32 identification for each individual who performs work on the
33 project. The copy shall be provided on or before the first day
34 on which the employee performs any work on the project, but in
35 no case later than the 10th day after the first day on which
36 the employee performed any work on the project. The public body

1 shall maintain the photocopies in a file to be kept in
2 connection with the contract documents. Any contractor or
3 subcontractor that fails to provide a copy of any employee's
4 identification as prescribed in this paragraph is guilty of a
5 Class B misdemeanor. It is also mandatory for each laborer,
6 worker, and mechanic who performs work on a public works
7 project to produce, upon the request of the Director of Labor
8 or his or her authorized representatives or upon the request of
9 an officer or representative of the public body, a valid State
10 or federal photo identification. Each contractor and
11 subcontractor is responsible for ensuring that his or her
12 employees comply with these requirements. A contractor or
13 subcontractor whose employees fail to comply with this
14 paragraph is guilty of a Class B misdemeanor.

15 (Source: P.A. 92-783, eff. 8-6-02; 93-38, eff. 6-1-04.)