



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5141

Introduced 2/8/2012, by Rep. Lisa M. Dugan

SYNOPSIS AS INTRODUCED:

20 ILCS 415/12g new

Amends the Personnel Code. Creates the Registered Nurse Registry Pilot Program to be administered by the Department of Central Management Services. Provides that the Department shall create and maintain an in-house registry of extra help employees for certain State operated facilities to improve staffing needs and to avoid the use of mandatory overtime. Provides that the in-house registry shall meet certain requirements. Provides that a State operated facility may appoint a Registered Nurse I or Correctional Nurse I as an extra help employee if certain conditions are met.

LRB097 18270 PJG 63496 b

FISCAL NOTE ACT
MAY APPLY

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 Personnel Code is amended by adding Section
5 12g as follows:

6 (20 ILCS 415/12g new)

7 Sec. 12g. Registered Nurse Registry Pilot Program.

8 (a) As used in this Section:

9 "In-house registry" means a list of employees who are
10 classified as either Registered Nurse I or Correctional Nurse I
11 maintained for the purpose of improving staffing levels to
12 minimize or eliminate the use of mandatory overtime at State
13 operated facilities. The list shall be developed in
14 collaboration and by negotiation with a historical
15 representative of RN stakeholders currently employed by the
16 State at State operated facilities.

17 "Mandatory overtime" means work that is required by the
18 Department in excess of an agreed-to, predetermined work shift.

19 "Extra help employee appointment" means the appointment of
20 a Registered Nurse I or Correctional Nurse I from an in-house
21 registry to work at a State operated facility as an extra help
22 employee.

23 "Historical representative" means a labor organization

1 that has historically represented nurses classified as
2 Correctional Nurse I or Registered Nurse I where a historical
3 pattern of representation exists for those classifications and
4 that has been found by the Illinois Labor Relations Board to be
5 the exclusive representative of nurses classified as
6 Correctional Nurse I or Registered Nurse I who participate in
7 the program.

8 "Registered Nurse I" or "Correctional Nurse I" means a
9 nurse classified as Registered Nurse I or Correctional Nurse I
10 and employed by the State to work at a State operated facility.

11 "Program" means the Registered Nurse Registry Pilot
12 Program, a 2-year pilot program established by the State to
13 improve staffing levels to minimize or eliminate the use of
14 mandatory overtime at State operated facilities.

15 "State operated facility" means one of the following
16 facilities: Manteno Veterans Home, Chester Mental Health
17 Center, or Sheridan Correctional Center.

18 (b) The Registered Nurse Registry Pilot Program is
19 established to serve the staffing needs of State operated
20 facilities. The program shall be administered by the
21 Department. The program shall terminate on a date 2 years after
22 the effective date of this amendatory Act of the 97th General
23 Assembly.

24 (c) The Department shall develop and maintain an in-house
25 registry of extra help employees for State operated facilities.
26 The in-house registry shall meet the following requirements:

1 (1) The in-house registry shall not be used to replace
2 budgeted positions for either full-time or part-time
3 Registered Nurse I or Correctional Nurse I.

4 (2) The in-house registry shall be developed in
5 collaboration with a historical representative of RN
6 stakeholders currently employed at State operated
7 facilities.

8 (d) The Department may appoint a Registered Nurse I or
9 Correctional Nurse I to an extra help appointment for work the
10 State operated facility attests to be emergent in nature and
11 which meets the following conditions:

12 (1) The amount of time for which the services are
13 needed is not predictable.

14 (2) Payment for work performed is made on an hourly
15 basis, with no benefits.

16 (3) The work cannot readily be assigned on a voluntary
17 basis, or on a straight-time or overtime basis, to a
18 full-time or part-time employee.

19 (e) The Department shall appoint an extra help employee by
20 referring persons to the State operated facility from the
21 in-house registry. An employee's acceptance or refusal of an
22 extra help appointment shall in no way affect the employee's
23 status on the in-house registry or on any other register
24 maintained by the Department or the State operated facility.

25 (f) A State operated facility may use an extra help
26 employee for a maximum of 900 hours of actual work in any

1 consecutive 12 calendar months. The State operated facility
2 shall review the status of the appointment at least every 3
3 calendar months. If at any time it is found that the
4 appointment no longer meets the requirements of this paragraph
5 or subsection (d), the Department shall terminate the extra
6 help appointment. If an extra help employee has accrued 900
7 consecutive hours, the appointment at that State operated
8 facility may not be reestablished until 6 months have elapsed
9 from the date of the termination of the appointment. Upon
10 working 900 hours, an extra help employee may not be
11 reappointed as an extra help employee at a State operated
12 facility for 30 calendar days after reaching the 900-hour
13 limit. The Department shall quarterly review its use of extra
14 help appointments to ensure compliance with this Section.