

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by adding  
5 Section 8-101.1 as follows:

6 (220 ILCS 5/8-101.1 new)

7 Sec. 8-101.1. Duties of public utilities; labor force.

8 (a) As used in this Section:

9 "Labor force" means the employees hired directly by a  
10 public utility and all employees of any and all suppliers and  
11 subcontractors of the public utility tasked with the  
12 construction, maintenance, and repair of the public utility's  
13 infrastructure.

14 "Substantial change in labor force" means either: (i) a  
15 greater than 5% reduction in the total labor force of a public  
16 utility; or (ii) a greater than 5% decrease in the ratio of  
17 labor force spending compared to capital spending of a public  
18 utility.

19 (b) A public utility shall ensure that it has the  
20 necessary labor force in order to furnish, provide, and  
21 maintain such service instrumentalities, equipment, and  
22 facilities to promote the safety, health, comfort, and  
23 convenience of its patrons and employees and the public and to

1 be in all respects adequate, efficient, just, and reasonable.

2 (c) Except as otherwise provided in this Section or  
3 pursuant to orders from the Commission, no substantial change  
4 shall be made by any public utility in its labor force unless  
5 the public utility provides notice to the Commission at least  
6 45 days before the implementation of the change. A public  
7 utility shall include a report that provides the following in  
8 addition to the notice:

9 (1) a detailed analysis and explanation of how and why  
10 a change in a specific law, regulation, or market factor  
11 requires the public utility to make the substantial change  
12 in its labor force; and

13 (2) whether the substantial change in the public  
14 utility's labor force meets the following factors:

15 (A) the substantial change is in the public  
16 interest;

17 (B) the substantial change will not endanger the  
18 quality and availability of public utility services;

19 (C) the substantial change will not have a  
20 negative impact on the safety or reliability of public  
21 utility services; and

22 (D) the substantial change is designed to minimize  
23 the financial hardship on the members of the public  
24 utility's labor force that are impacted by the  
25 substantial change.

26 (d) The Commission may conduct an audit or investigation

1 under Section 8-102 of this Act of any public utility report  
2 filed pursuant to this Section. If, after notice and hearing,  
3 the Commission finds that a report was insufficient to justify  
4 the substantial change in labor force, then the cost of any  
5 independent audit conducted by the Commission shall not be  
6 recoverable as an expense from the ratepayers of the public  
7 utility.