



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4081

by Rep. Michael Halpin

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Call Center Worker and Consumer Protection Act. Provides that an employer that intends to relocate a call center or portions of a call center from Illinois to another state or a foreign country must provide notice to the State Treasurer at least 120 days before the relocation. Authorizes a civil penalty not to exceed \$10,000 for violations. Requires the Treasurer to compile and post on the Treasurer's website a list of employers that have relocated call centers. Requires an employer that relocates a call center from Illinois to another state or a foreign country to repay grants, loans, and tax benefits that may have been received. Effective January 1, 2018.

LRB100 13614 KTG 28236 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the Call  
5 Center Worker and Consumer Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Call center" means a business enterprise and the State of  
8 Illinois or any of its political subdivisions that employ, for  
9 the purpose of customer service or back-office operations:

10 (1) 50 or more employees, excluding part-time  
11 employees; or

12 (2) 50 or more employees who in the aggregate work at  
13 least 1,500 hours per week (exclusive of hours of  
14 overtime).

15 "Department" means a State department under the Executive  
16 Branch.

17 "Part-time employee" means an employee who is employed for  
18 an average of fewer than 20 hours per week or who has been  
19 employed for fewer than 6 of the 12 months preceding the date  
20 on which notice is required.

21 "Treasurer" means the Office of the State Treasurer.

22 Section 10. Relocation notice requirement.

1           (a) An employer that intends to relocate a call center or  
2 one or more facilities or operating units within a call center  
3 comprising at least 30% of the total volume of the call center  
4 or operating units when measured against the previous 12-month  
5 average call volume of operations or substantially similar  
6 operations from Illinois to another state or a foreign country  
7 shall notify the Treasurer at least 120 days before such  
8 relocation.

9           (b) An employer that violates subsection (a) shall be  
10 subject to a civil penalty not to exceed \$10,000 for each day  
11 of such violation, except that the Treasurer may reduce such  
12 amount for just cause shown.

13           Section 15. List of company call centers.

14           (a) The Treasurer shall compile a semiannual list of all  
15 employers that relocate a call center or one or more facilities  
16 or operating units within a call center comprising at least 30%  
17 of the call center's total volume of operations from Illinois  
18 to another state or a foreign country.

19           (b) The Treasurer shall post the list of company call  
20 centers on its website on June 30 of every year.

21           Section 20. Grants or guaranteed loans.

22           (a) Except as provided in subsection (c) and  
23 notwithstanding any other provision of law, an employer that  
24 appears on the list required under Section 15 shall be

1 ineligible for any direct or indirect State grants or State  
2 guaranteed loans for 5 years after the date such list is  
3 published.

4 (b) Except as provided in subsection (c) and  
5 notwithstanding any other provision of law, an employer that  
6 appears on the list required under Section 15 shall remit the  
7 unamortized value of any grant, guaranteed loans, tax benefits,  
8 or any other governmental support it has previously received to  
9 the Treasurer.

10 (c) The Treasurer, in consultation with the appropriate  
11 Department providing a loan or grant, may waive the eligibility  
12 restriction provided under subsection (a) if the employer  
13 applying for such loan or grant demonstrates that a lack of  
14 such loan or grant would:

- 15 (1) threaten national security;  
16 (2) result in substantial job loss in the State; or  
17 (3) harm the environment.

18 Section 25. In-state procurement. An agency shall ensure  
19 that all State-business-related call center and customer  
20 service work be performed by State contractors or their agents  
21 or subcontractors entirely within the State. State contractors  
22 who currently perform such work outside of the State shall have  
23 2 years following the effective date of this Act to comply with  
24 this Section; provided that, if any such grandfathered  
25 contractors add customer service employees who will perform

1 work on such contracts, those new employees shall immediately  
2 be employed within the State.

3 Section 30. State benefits for workers. No provision of  
4 this Act shall be construed to permit withholding or denial of  
5 payments, compensation, or benefits under any other State law  
6 (including State unemployment insurance, disability payments,  
7 or worker retraining or readjustment funds) to workers employed  
8 by employers that relocate from Illinois to another state or a  
9 foreign country.

10 Section 99. Effective date. This Act takes effect January  
11 1, 2018.