

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 Attorney General Act is amended by adding
5 Sections 6.3 and 6.4 as follows:

6 (15 ILCS 205/6.3 new)

7 Sec. 6.3. Worker Protection Unit.

8 (a) The General Assembly finds that the welfare and
9 prosperity of all Illinois citizens and businesses requires the
10 establishment of a Unit within the Attorney General's Office
11 dedicated to combatting businesses that underpay their
12 employees, force their employees to work in unsafe conditions,
13 and gain an unfair economic advantage by avoiding their tax and
14 labor responsibilities. The Worker Protection Unit shall be
15 focused on protecting the State's workforce to ensure workers
16 are paid properly, guarantee safe workplaces, and allow
17 law-abiding business owners to thrive through healthy and fair
18 competition. Businesses that violate the State's worker
19 protection laws put a greater burden on taxpayers by hurting
20 the State's ability to provide critical services; compliant
21 businesses cannot compete against those who gain an unfair
22 advantage by evading their responsibilities.

23 (b) There is created within the Office of the Attorney

1 General a Worker Protection Unit, consisting of Assistant
2 Attorneys General appointed by the Attorney General, who,
3 together with other staff as deemed necessary by the Attorney
4 General, shall have the power and duty on behalf of persons
5 within this State, to intervene in, initiate, and enforce all
6 legal proceedings on matters related to the payment of wages,
7 the safety of the workplace, and fair employment practices,
8 including, without limitation, the provisions of the
9 Prevailing Wage Act, the Employee Classification Act, the
10 Minimum Wage Law, the Day and Temporary Labor Services Act, or
11 the Wage Payment and Collection Act, whenever the Attorney
12 General determines that such action is necessary to protect the
13 rights and interests of Illinois workers and Illinois
14 businesses.

15 (c) Prior to initiating an action, the Attorney General
16 shall conduct an investigation and may: (1) require an
17 individual or entity to file a statement or report in writing
18 under oath or otherwise, as to all information the Attorney
19 General may consider necessary; (2) examine under oath any
20 person alleged to have participated in or with knowledge of the
21 alleged violation; or (3) issue subpoenas or conduct hearings
22 in aid of any investigation.

23 (d) In an action brought under this Section, the Attorney
24 General may obtain, as a remedy, monetary damages to the State,
25 restitution, and equitable relief, including any permanent or
26 preliminary injunction, temporary restraining order, or other

1 order, including an order enjoining the defendant from engaging
2 in a violation, or order any action as may be appropriate. In
3 addition, the Attorney General may request and the court may
4 impose a civil penalty against any person or entity found by
5 the court to have violated the Prevailing Wage Act, the
6 Employee Classification Act, the Minimum Wage Law, the Day and
7 Temporary Labor Services Act, the Wage Payment and Collection
8 Act, or any other law related to the payment of wages, the
9 safety of the workplace, or fair employment practices, in a sum
10 not to exceed the maximum amount of any civil penalty
11 prescribed by law. Neither the State nor an aggrieved
12 individual may recover monetary relief, including civil
13 penalties, in more than one proceeding related to the same
14 violation.

15 (e) Upon the Attorney General's request, the Illinois
16 Department of Labor shall provide any materials or documents
17 already in the Department's possession pertaining to the
18 enforcement of this Section. The Office of the Attorney General
19 may use information obtained under this Section, including
20 information that is designated as and that qualifies for
21 confidential treatment, which information the Attorney
22 General's Office shall maintain as confidential, for law
23 enforcement purposes only, which information may be shared with
24 other law enforcement officials. Nothing in this Section is
25 intended to take away or limit any powers of the Attorney
26 General under common law or other statutory law.

1 (15 ILCS 205/6.4 new)

2 Sec. 6.4. Worker Protection Unit Task Force.

3 (a) There is created a Worker Protection Task Force within
4 the Office of the Illinois Attorney General. The Task Force
5 shall be coordinated by the Office of the Attorney General to
6 promote a statewide outreach and enforcement effort to target
7 businesses that violate the State's worker protection laws. The
8 purpose of the Task Force shall be to:

9 (1) create a coalition in Illinois dedicated to
10 protecting the State's workforce and law-abiding
11 businesses;

12 (2) facilitate the timely sharing of information
13 between Task Force members relating to suspected worker
14 exploitation;

15 (3) promote the refinement of targeting methods and
16 best practices, and develop strategies to systemically
17 investigate worker exploitation; and

18 (4) work cooperatively with labor and community
19 organizations, businesses and business coalitions, and
20 other advocacy groups to increase public awareness on the
21 underground economy in an effort to promote fairness,
22 combat discrimination, and protect the welfare of the
23 State.

24 (b) The Task Force shall consist of:

25 (1) the Illinois Attorney General;

1 (2) Assistant Attorneys General, assigned at the
2 discretion of the Illinois Attorney General;

3 (3) three elected State's Attorneys of Illinois, or
4 their designees, selected by the Attorney General;

5 (4) the Director of Labor or his or her designee;

6 (5) the Director of Employment Security or his or her
7 designee;

8 (6) the Director of Human Rights or his or her
9 designee; and

10 (7) the chairperson of the Illinois Workers'
11 Compensation Commission or his or her designee.

12 (c) The Task Force shall elect a chairperson from its
13 membership and shall have the authority to determine its own
14 meeting schedule, hearing schedule, and agendas. Members of the
15 Task Force shall serve without compensation.

16 (d) The Task Force shall submit a report to the Governor
17 and the General Assembly regarding its progress no later than
18 December 1, 2020.

19 (e) This Section is repealed December 1, 2021.