



Sen. Christopher Belt

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10200HB3914sam001

LRB102 16820 RJF 26345 a

1 AMENDMENT TO HOUSE BILL 3914

2 AMENDMENT NO. _____. Amend House Bill 3914 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Positive
5 Action Act.

6 Section 5. The Department of Central Management Services
7 Law of the Civil Administrative Code of Illinois is amended by
8 adding Sections 405-101, 405-123, and 405-124 as follows:

9 (20 ILCS 405/405-101 new)

10 Sec. 405-101. Positive action toward addressing systemic
11 racism and barriers to increase workforce diversity in State
12 employment.

13 (a) The Director will strive to do the following:

14 (1) identify statutes which impede access and
15 opportunities for minorities and marginalized individuals

1 to gain employment with the State of Illinois and seek
2 legislation to change those statutes to remove barriers to
3 employment; and

4 (2) identify policies which impede access and
5 opportunities for minorities and marginalized individuals
6 to gain employment with the State of Illinois and make
7 changes to those policies to remove barriers to
8 employment.

9 (b) For purposes of this Section, "positive action" means
10 taking proactive leading action to identify statutes and
11 policies which impede access and opportunity for minorities
12 and marginalized individuals to gain employment with the State
13 of Illinois and to seek legislation and make policy changes.

14 (20 ILCS 405/405-123 new)

15 Sec. 405-123. State agency interview panel diversity.

16 (a) Each State agency shall establish the goal of
17 increasing diversity on interview panels in order to increase
18 State employment opportunities provided to women, minority
19 persons, and persons to which the goals of the following
20 programs apply: (i) the African American Employment Plan; (ii)
21 the Hispanic Employment Plan; (iii) the Asian American
22 Employment Plan; (iv) the Native American Employment Plan; and
23 (v) the requirements concerning employment of bilingual
24 persons.

25 (b) Each State agency shall use in the interview process,

1 if possible, persons that are representative of the persons
2 specified under subsection (a) if the interview being
3 conducted meets the following criteria:

4 (1) the hiring State agency implements an interview
5 panel for the position consisting of 3 or more panel
6 members; or

7 (2) the hiring State agency implements a multi-round
8 interview process consisting of 2 or more rounds for the
9 position.

10 (c) Each State agency shall submit an annual report to the
11 Department of Central Management Services concerning its
12 actions under this Section, and the Department shall report
13 annually on these actions through the employment plans
14 specified under subsection (a). The report shall include the
15 following:

16 (1) the number of applicants that were interviewed
17 that are representative of the persons and employment
18 plans specified under subsection (a);

19 (2) the number of interviews in which the hiring
20 personnel and the applicant were both representative of
21 the persons or employment plans specified under subsection
22 (a); and

23 (3) the number of applicants that met the criteria of
24 the persons and employment plans specified under
25 subsection (a) that were hired by a State agency.

26 (d) The requirements of this Section shall not apply to

1 State employment for job titles that are classified as
2 Rutan-exempt, or for which political considerations may be
3 taken into account when hiring personnel.

4 (20 ILCS 405/405-124 new)

5 Sec. 405-124. Employees with child support payments. The
6 Department shall increase State employment career counseling
7 opportunities for individuals who are in arrears on their
8 child support payments. The Department shall dedicate staff to
9 consult with individuals and organizations informed on the
10 subject of non-payment of child support to develop plans for
11 the most effective career counseling opportunities for these
12 individuals.

13 Section 10. The Personnel Code is amended by changing
14 Section 8b.4 as follows:

15 (20 ILCS 415/8b.4) (from Ch. 127, par. 63b108b.4)

16 Sec. 8b.4. For the rejection of candidates or eligibles
17 who fail to comply with reasonable previously specified job
18 requirements of the Director in regard to ~~such factors as age,~~
19 ~~physical and psychological condition,~~ training and experience;
20 who have been guilty of infamous or disgraceful conduct; ~~who~~
21 ~~are addicted to alcohol to excess or to controlled substances~~
22 ~~or uses cannabis,~~ or who have attempted any deception or fraud
23 in connection with an examination. Those candidates who are

1 alleged to have attempted deception or fraud in connection
2 with an examination shall be afforded the opportunity to
3 appeal and provide information to support their appeal which
4 shall be considered when determining their eligibility as a
5 candidate for employment.

6 (Source: P.A. 77-773.)

7 Section 99. Effective date. This Act takes effect January
8 1, 2022."