

AN ACT concerning State government.

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

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

(15 ILCS 205/6.3 new)

Sec. 6.3. Worker Protection Unit.

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

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

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

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

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

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

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

(15 ILCS 205/6.4 new)

Sec. 6.4. Worker Protection Unit Task Force.

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

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

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

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

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

(b) The Task Force shall consist of:

(1) the Illinois Attorney General;

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

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

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

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

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

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

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

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

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