

SB1755



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1755

Introduced 2/20/2015, by Sen. Daniel Biss

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 to 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 employers that relocate call centers to foreign countries to repay grants, loans, and tax benefits that may have been received. Effective January 1, 2016.

LRB099 07069 JLS 27153 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 a foreign country shall notify the
7 Treasurer at least 120 days before such relocation.

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

12 Section 15. List of company call centers.

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

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

20 Section 20. Grants or guaranteed loans.

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

1 guaranteed loans for 5 years after the date such list is
2 published.

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

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

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

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

1 be employed within the State.

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

8 Section 99. Effective date. This Act takes effect January
9 1, 2016.