

AN ACT concerning employment.

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

Section 5. The Transportation Benefits Program Act is amended by changing Sections 5 and 20 as follows:

(820 ILCS 63/5)

Sec. 5. Definitions. As used in this Act:

"Construction industry" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, water works, parking facility, railroad, excavation or other structure, project, development, or real property or improvement, or any part thereof, whether or not the performance of the work involves the addition to, or fabrication into, any structure, project, development, or real property or improvement of any material or article of merchandise. "Construction industry" also includes moving construction-related materials on the job site to or from the job site, snow plowing, snow removal, and refuse collection.

"Covered employee" means any person who is employed by a covered employer ~~performs an average of at least 35 hours of work per week for compensation on a full-time basis.~~

"Covered employer" means any individual, partnership, association, corporation, limited liability company, government, non-profit organization, or business trust that directly or indirectly, or through an agent or any other person, employs or exercises control over wages, hours, or working conditions of an employee, and that:

(1) is located in: Cook County; Warren Township in Lake County; Grant Township in Lake County; Frankfort Township in Will County; Wheatland Township in Will County; Addison Township; Bloomingdale Township; York Township; Milton Township; Winfield Township; Downers Grove Township; Lisle Township; Naperville Township; Dundee Township; Elgin Township; St. Charles Township; Geneva Township; Batavia Township; Aurora Township; Zion Township; Benton Township; Waukegan Township; Avon Township; Libertyville Township; Shields Township; Vernon Township; West Deerfield Township; Deerfield Township; McHenry Township; Nunda Township; Algonquin Township; DuPage Township; Homer Township; Lockport Township; Plainfield Township; New Lenox Township; Joliet Township; or Troy Township; and

(2) employs 50 or more covered employees in a geographic area specified in paragraph (1) at an address

that is located within one mile of fixed-route transit service.

"Public transit" means any transportation system within the authority and jurisdiction of the Regional Transportation Authority.

"Transit pass" means any pass, token, fare card, voucher, or similar item entitling a person to transportation on public transit.

(Source: P.A. 103-291, eff. 1-1-24.)

(820 ILCS 63/20)

Sec. 20. Application of Act.

(a) Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the applicable minimum standards of the provisions of this Act. Nothing in this Act shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in force on the effective date of this Act. After the effective date of this Act, requirements of this Act may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms.

(b) This Act does not apply to a covered employer in the

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construction industry with respect to employees with whom the
covered employer has entered into a bona fide collective
bargaining agreement.

(Source: P.A. 103-291, eff. 1-1-24.)