

SB2406



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2406

Introduced 2/7/2025, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

820 ILCS 63/5
820 ILCS 63/20

Amends the Transportation Benefits Program Act. Provides that the Act does not apply to a covered employer in the construction industry with respect to employees with whom the covered employer has entered into a bona fide collective bargaining agreement. Makes changes to definitions.

LRB104 09273 SPS 19331 b

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

6 (820 ILCS 63/5)

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

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

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

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

10 (1) is located in: Cook County; Warren Township in
11 Lake County; Grant Township in Lake County; Frankfort
12 Township in Will County; Wheatland Township in Will
13 County; Addison Township; Bloomingdale Township; York
14 Township; Milton Township; Winfield Township; Downers
15 Grove Township; Lisle Township; Naperville Township;
16 Dundee Township; Elgin Township; St. Charles Township;
17 Geneva Township; Batavia Township; Aurora Township; Zion
18 Township; Benton Township; Waukegan Township; Avon
19 Township; Libertyville Township; Shields Township; Vernon
20 Township; West Deerfield Township; Deerfield Township;
21 McHenry Township; Nunda Township; Algonquin Township;
22 DuPage Township; Homer Township; Lockport Township;
23 Plainfield Township; New Lenox Township; Joliet Township;
24 or Troy Township; and

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

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

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

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

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

10 (820 ILCS 63/20)

11 Sec. 20. Application of Act.

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

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

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

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