

HB3810



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3810

Introduced 2/17/2023, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

10200SB0208enr, Sec. 10

If and only if Senate Bill 208 of the 102nd General Assembly becomes law, amends the Paid Leave for All Workers Act by providing that the definition of "employer" does not include municipalities that have a parks and recreation department.

LRB103 30035 SPS 56456 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. If and only if Senate Bill 208 of the 102nd
5 General Assembly becomes law, then the Paid Leave for All
6 Workers Act is amended by changing Section 10 as follows:

7 (10200SB0208enr, Sec. 10)

8 Sec. 10. Definitions. As used in this Act:

9 "Construction industry" means any constructing, altering,
10 reconstructing, repairing, rehabilitating, refinishing,
11 refurbishing, remodeling, remediating, renovating, custom
12 fabricating, maintenance, landscaping, improving, wrecking,
13 painting, decorating, demolishing, or adding to or subtracting
14 from any building, structure, highway, roadway, street,
15 bridge, alley, sewer, ditch, sewage disposal plant,
16 waterworks, parking facility, railroad, excavation or other
17 structure, project, development, real property, or
18 improvement, or to do any part thereof, whether or not the
19 performance of the work herein described involves the addition
20 to or fabrication into, any structure, project, development,
21 real property, or improvement herein described of any material
22 or article of merchandise.

23 "Construction industry" also includes moving construction

1 related materials on the job site or to or from the job site,
2 snow plowing, snow removal, and refuse collection.

3 "Department" means the Illinois Department of Labor.

4 "Domestic work" and "domestic worker" have the same
5 meanings as defined in Section 10 of the Domestic Workers'
6 Bill of Rights Act, except that "domestic worker" also
7 includes independent contractors, sole proprietors, and
8 partnerships.

9 "Employee" has the same application and meaning as that
10 provided in Sections 1 and 2 of the Illinois Wage Payment and
11 Collection Act. "Employee" also includes all domestic workers,
12 and, for the purposes of this Act, domestic workers shall not
13 be excluded as employees under the provisions of item (1),
14 (2), or (3) of Section 2 of the Illinois Wage Payment and
15 Collection Act. "Employee" does not include:

16 (1) an employee as defined in the federal Railroad
17 Unemployment Insurance Act (45 U.S.C. 351 et seq.) or the
18 Railway Labor Act;

19 (2) a student enrolled in and regularly attending
20 classes in a college or university that is also the
21 student's employer, and who is employed on a temporary
22 basis at less than full time at the college or university,
23 but this exclusion applies only to work performed for that
24 college or university; or

25 (3) a short-term employee who is employed by an
26 institution of higher education for less than 2

1 consecutive calendar quarters during a calendar year and
2 who does not have a reasonable expectation that they will
3 be rehired by the same employer of the same service in a
4 subsequent calendar year.

5 "Employer" has the same application and meaning as that
6 provided in Sections 1 and 2 of the Illinois Wage Payment and
7 Collection Act, except that for purposes of this Act,
8 "employer" also means the State and units of local government,
9 any political subdivision of the State or units of local
10 government, or any State or local government agency.

11 "Employer" does not include school districts organized
12 under the School Code, ~~or~~ park districts organized under the
13 Park District Code, or municipalities that have a parks and
14 recreation department.

15 "Writing" or "written" means a printed or printable
16 communication in physical or electronic format, including a
17 communication that is transmitted through electronic mail,
18 text message, or a computer system or is otherwise sent or
19 stored electronically.

20 (Source: 10200SB0208enr.)