



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4743

Introduced 2/6/2024, by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-2-5.1 new

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall establish an Office of Workplace Safety. Provides that the Office shall assess the Department's compliance with the Occupational Safety and Health Act and any other applicable health and safety rules, and make recommendations for improvements to processes and procedures to improve safety in the workplace. Provides that the Office shall also prepare an annual report on the Department's state of compliance with all applicable health and safety laws and rules, plans for the future to increase compliance and further promote safety in the workplace, and any serious accident which occurred resulting in serious injury or death including lessons learned from those accidents and remedial measures undertaken as a result. Provides that this report shall be sent to the Director of Corrections, the Governor, and the General Assembly. Provides that the Director of Corrections shall appoint the Chief Workplace Safety Officer to administer the Office, who shall have a professional background and training in industrial and workplace safety or industrial hygiene. Provides that the Chief Workplace Safety Officer may employ subordinate employees at the Chief Workplace Safety Officer's discretion to assist the Chief Workplace Safety Officer in carrying out the Chief Workplace Safety Officer's duties. Provides that the Chief Workplace Safety Officer or any designated employee of the Office may conduct a workplace safety inspection of any property, equipment, or workplace under the control or supervision of the Department at any time, and shall conduct random unannounced inspections as often as deemed necessary. Provides that any person who fails to cooperate with an investigation inspection or who gives false testimony or documentary evidence shall be subject to discipline, or in the case of a person committed to the Department of Corrections a loss of privileges. Provides that violent actions by committed persons and the use of force by correctional officers and staff shall not be within the purview of the Office of Workplace Safety. Provides that the provisions of the amendatory Act are subject to appropriations.

LRB103 37244 RLC 67364 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Unified Code of Corrections is amended by
5 adding Section 3-2-5.1 as follows:

6 (730 ILCS 5/3-2-5.1 new)

7 Sec. 3-2-5.1. Office of Workplace Safety.

8 (a) The Department shall establish an Office of Workplace
9 Safety. The Office shall assess the Department's compliance
10 with the Occupational Safety and Health Act and any other
11 applicable health and safety rules, and make recommendations
12 for improvements to processes and procedures to improve safety
13 in the workplace. The Office shall also prepare an annual
14 report on the Department's state of compliance with all
15 applicable health and safety laws and rules, plans for the
16 future to increase compliance and further promote safety in
17 the workplace, and any serious accident which occurred
18 resulting in serious injury or death including lessons learned
19 from those accidents and remedial measures undertaken as a
20 result. This report shall be sent to the Director of
21 Corrections, the Governor, and the General Assembly.

22 (b) The Director of Corrections shall appoint the Chief
23 Workplace Safety Officer to administer the Office, who shall

1 have a professional background and training in industrial and
2 workplace safety or industrial hygiene. The Chief Workplace
3 Safety Officer may employ subordinate employees at the Chief
4 Workplace Safety Officer's discretion to assist the Chief
5 Workplace Safety Officer in carrying out the Chief Workplace
6 Safety Officer's duties.

7 (c) The Chief Workplace Safety Officer or any designated
8 employee of the Office may conduct a workplace safety
9 inspection of any property, equipment, or workplace under the
10 control or supervision of the Department at any time, and
11 shall conduct random unannounced inspections as often as
12 deemed necessary. Any person who fails to cooperate with an
13 investigation inspection or who gives false testimony or
14 documentary evidence shall be subject to discipline, or in the
15 case of a person committed to the Department of Corrections a
16 loss of privileges.

17 (d) The Office shall also investigate training practices
18 for the use of equipment and may direct that alternative
19 trainings or equipment be used. The Office and its employees
20 shall have the authority to take any piece of equipment deemed
21 unsafe or hazardous out of service until it can be repaired or
22 replaced.

23 (e) All recommendations issued by the Office of Workplace
24 Safety shall be implemented by the Department to the fullest
25 extent possible and if full implementation is not possible or
26 is delayed the Director of Corrections and any other person

1 responsible for the implementation of the recommendations
2 shall provide a written explanation and an action plan for
3 implementation or alternative measures.

4 (f) Any employee of the Department or contractor or person
5 in the custody of the Department shall be able to make a
6 complaint of unsafe working conditions to the Office. The
7 complaints may be submitted anonymously. The Office shall
8 investigate all complaints to the fullest extent possible and
9 either issue recommendations to address any hazards or issues
10 identify or close the complaint if warranted. No person who
11 submits such a complaint shall be retaliated or in any way
12 punished for submitting such a complaint, unless the complaint
13 in the judgment of the Office is frivolous or was submitted
14 with the intention of interfering with normal prison
15 operations or wasting government resources.

16 (g) Violent actions by committed persons and the use of
17 force by correctional officers and staff shall not be within
18 the purview of the Office of Workplace Safety.

19 (h) The provisions of this Section are subject to
20 appropriations.