



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3104

Introduced 2/19/2016, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

30 ILCS 577/35-10
30 ILCS 577/35-11 new

Amends the State Construction Minority and Female Building Trades Act. Provides that the failure to submit required apprenticeship reports is a violation of the Act. Creates penalties for violation of the Act. Provides that an entity that violates the provisions of the act or any rule adopted under the Act shall be subject to a civil penalty not to exceed \$1,000 for each violation found in the first audit by the Department of Labor. Provides that following a first audit, an entity shall be subject to a civil penalty not to exceed \$2,000 for each repeat violation found by the Department within a 5-year period. Provides that each violation of the Act for each day the violation continues shall constitute a separate and distinct violation. Provides that in determining the amount of a penalty, the Director of the Department of Labor shall consider the gravity of the violations.

LRB099 20750 MLM 45409 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Construction Minority and Female
5 Building Trades Act is amended by changing Section 35-10 and by
6 adding Section 35-11 as follows:

7 (30 ILCS 577/35-10)

8 Sec. 35-10. Apprenticeship reports. Each labor
9 organization and other entity in Illinois with one or more
10 apprenticeship programs for construction trades, whether or
11 not recognized and certified by the United States Department of
12 Labor, Bureau of Apprenticeship and Training, must report to
13 the Illinois Department of Labor the information required to be
14 reported to the Bureau of Apprenticeship and Training by labor
15 organizations with recognized and certified apprenticeship
16 programs that lists the race, gender, ethnicity, and national
17 origin of apprentices in that labor organization or entity. The
18 information must be submitted to the Illinois Department of
19 Labor as provided by rules adopted by the Department. For labor
20 organizations with recognized and certified apprentice
21 programs, the reporting requirement of this Section may be met
22 by providing the Illinois Department of Labor, on a schedule
23 adopted by the Department by rule, copies of the reports

1 submitted to the Bureau of Apprenticeship and Training. Failure
2 to submit this report is a violation of this Act.

3 (Source: P.A. 96-37, eff. 7-13-09.)

4 (30 ILCS 577/35-11 new)

5 Sec. 35-11. Penalties. An entity that violates any of the
6 provisions of this Act or any rule adopted under this Act shall
7 be subject to a civil penalty not to exceed \$1,000 for each
8 violation found in the first audit by the Illinois Department
9 of Labor. Following a first audit, an entity shall be subject
10 to a civil penalty not to exceed \$2,000 for each repeat
11 violation found by the Department within a 5-year period. For
12 purposes of this Section, each violation of this Act for each
13 day the violation continues shall constitute a separate and
14 distinct violation. In determining the amount of a penalty, the
15 Director of the Department of Labor shall consider the gravity
16 of the violations.