



ILLINOIS DEPARTMENT OF LABOR

JB PRITZKER
GOVERNOR

JANE R. FLANAGAN
ACTING DIRECTOR

March 21, 2022

To the Honorable Members of the Illinois General Assembly:

In compliance with the requirements set forth in the Data Governance and Organization to Support Equity and Racial Justice Act (20 ILCS 65 *et. al*) (the “Act”), the Illinois Department of Labor (“IDOL”) hereby submits this progress report detailing the programs and data that have been catalogued for which the demographic categories described in Section 20-15 of the Act have been standardized and, to the extent possible, the data sets and programs that are planned for the coming year.

The Act requires IDOL to “report statistical data on racial, ethnic, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language demographics of program participants for each major program” administered by IDOL.

While “major program” is not defined in the Act, IDOL has adopted the following definition provided by the Governor’s Office of Management and Budget: *a major program is a program with an enacted appropriation of greater than \$1 million in a fiscal year; direct services provided to individuals and/or a reasonable expectation that demographic information can be aggregated via proxy data without substantial cost or disruption to program delivery.*¹

IDOL does not have any programs with an enacted appropriation of greater than \$1 million in a fiscal year and therefore does not have any programs that fall within the Governor’s Office of Management and Budget’s definition of a “major program.” However, IDOL does provide direct services to individuals seeking to exercise their employment rights and recover unpaid wages. As such, and in keeping with the intent of the Act, IDOL has further defined “major program” as a program that provides direct services to greater than 2,000 individuals in a fiscal year.

IDOL has also adopted the following definition of “program participants” provided by the Governor’s Office of Management and Budget: *any individual who receives program services or interventions directly from State agency staff, contractors, or grantees.*

Using the “major program” and “program participant” definitions, IDOL has identified the following programs and program participant populations for analysis:

- Wage Payment and Collection Act Enforcement Program

¹ Programs with anonymous reporting of violations, those which utilize tele-help lines, and regulatory/licensure programs have been excluded from this definition.

In February and March, IDOL began to assess currently catalogued demographic data for the aforementioned program and other wage enforcement programs. IDOL conducted an initial assessment and determined that it currently does not ask for demographic information for any of its programs except where that information is statutorily required as an element of a claim. For example, individual claimants must provide their race or gender in order to submit a claim under the Equal Pay Act because such information is relevant to the underlying claim

Following its initial assessment, IDOL has determined that our major program can be amended to allow for the collection of demographic data from individual claimants without substantial cost or disruption to program delivery. However, additional work needs to be done to define and standardize the demographic categories enumerated in the statute and implement demographic reporting for wage claimants.

In the coming year, IDOL will utilize the Office of Equity's guidance to create and standardize definitions for the demographic categories. IDOL will work with the Department of Innovation and Technology and the Governor's Office of Management and Budget in the coming months to streamline its data collection and amend its standard forms in order to collect the relevant data from major program participants. Furthermore, in the coming year, IDOL will continue to assess whether any other wage claim programs should be added to the list of "major programs" to be analyzed.

As the State works to implement the Act, IDOL's data stewards; information and technology staff; and diversity, equity, and inclusion leaders will work with the Department of Innovation and Technology and the Governor's Office of Management and Budget to analyze currently catalogued data, identify data gaps, and determine how to collect demographic information. Ultimately, we hope to provide valuable data and analysis that will be meaningful and will inform program design and policy-making endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane R. Flanagan", with a long horizontal flourish extending to the right.

Jane R. Flanagan
Acting Director
Illinois Department of Labor