



ILLINOIS CHAMBER
OF COMMERCE

GOVERNMENT AFFAIRS

Report



[Key
Legislation](#)

[Business
Regulation](#)

[Campaign
Finance](#)

[Civil Law](#)

[Economic
Development](#)

[Education](#)

[Employment
Law](#)

[Environment
& Energy](#)

[Financial
Services](#)

[Gaming](#)

[Health Care](#)

November 17, 2017

This Week in Illinois

ETHICS REFORM: SEXUAL MISCONDUCT

After it was discovered that the mechanism to review allegations of sexual misconduct involving those working in the legislative process was badly broken, Gov. Rauner this week signed [SB 402](#), which would include requiring all legislators, legislative staff and lobbyists to participate in sexual harassment training and having sexual harassment policies in place. SB 402 also requires the Department of Human Rights to establish a sexual harassment hotline for the anonymous reporting of sexual harassment in both public and private places of employment, and to provide for reporting by both telephone and internet.

In addition, this week Senate Minority Leader Bill Brady (R - Bloomington) appointed Chamber member Julie Proscia of Smith Amundsen LLC to the Senate Task Force on Sexual Discrimination and Harassment Awareness and Prevention. The Task Force is to conduct a comprehensive review of the legal and social consequences of sexual discrimination and harassment, in both the public and private sectors, and to study and make recommendations on combating sexual discrimination and harassment in Illinois, including in workplaces, in educational institutions, and in state and local government. The Chamber applauds Julie's service to the task force and we look forward to further advancing the goals of the task force. The task force was created with last week's passage of [SR 1076](#).

Pensions

Procurement

Taxes

Workers'
Compensation

GOV SIGNS TAX CREDIT FOR FLOOD VICTIMS

This week, Gov. Rauner [signed a bill](#) that would create an income tax credit in the amount equal to the lesser of \$750 or the deduction allowed with respect to qualified property under the Internal Revenue Code for each taxpayer who owns qualified real property located in a county in Illinois that was declared a State disaster area by the Governor due to flooding in 2017 (rather than declared a major disaster area in July of 2017). This bill was enacted as a response to the damaging flooding that took place this July that left 18 counties state disaster areas following the floods.

ICYMI: CHAMBER KILLS REGULATORY, LEGAL TRAP

In case you missed it, the Illinois Chamber defeated a bill that would have added new regulatory burdens and legal traps for small businesses. [HB 2462](#) (Moeller/Biss) would have sought to prohibit an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. It also would have prohibited an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer.

The most concerning provision under HB 2462 were the undermining of employer defenses along with the expansion of civil penalties, including punitive damages, compensatory damages and injunctive relief.

For nearly 15 years, Illinois' Equal Pay Act prohibits employers from discriminating between employees on the basis of sex for "substantially similar equal skill, effort, and responsibility, and which are performed under similar working conditions"

There are legitimate, non-discriminatory reasons why employers seek information regarding prior compensation. Employers do not necessarily have accurate wage information on what the current market is for all potential job positions. Employers in competitive industries often do not advertise salaries, in order to utilize their pay structure as a way in which to lure talented employees from their competition. By requesting salary information, employers can adjust any unrealistic expectations or salary ranges to match the current market rate for the advertised job position. Asking about past compensation helps employers assess how prior employers valued the applicant's contribution, whether an applicant's salary expectations are realistic, whether the compensation the employer is offering is competitive, whether the applicant's

skills are valued in the marketplace, and whether the applicant has been successful in their prior jobs.

The question we asked of lawmakers is this legislation really about limiting what employers can ask of a job applicant or is the bill all about increasing litigation opportunities and judicial awards against employers? On a 29-17-1 vote the Senate agreed it was more about the latter. Falling far short of the thirty-six votes needed to override, the following Democrats joined the entire Senate Republican caucus in not voting for the override: Haine (Alton); Harris (Flossmoor); Hastings (Orland Hills); Holmes (Aurora); Landek (Bridgeview); Sandoval (Cicero) and Stadelman (Rockford).

To read more about other Chamber victories from last week's veto session, [click here](#).

ICC COMMENT PERIOD OPEN ON ZONE 4 ADEQUACY

the Illinois Commerce Commission has begun a stakeholder process to examine the long-term electric resource adequacy in MISO Zone 4. The ICC has requested comments on the Commission's white paper on resource adequacy in Zone 4, which was prepared at the request of the Governor's office. The report lays out the unique situation that is Zone 4 and proposes four potential policy options: 1. Rely on existing competitive forces and market structures; 2. Impose additional capacity requirements on load serving entities; 3. Create a reliability portfolio standard; 4. Reconfigure RTO participation.

Stakeholders are encouraged to file comments on the report, due November 30th. The ICC will then conduct a workshop on December 7th, and receive post-workshop comments by Dec 21st. Another workshop will be held on January 16th and final comments due January 30th. A final report will be delivered to the Governor on February 26th. The white paper and timeline are listed on the [ICC's website](#). Or if you have any questions, please reach out to the Chamber's Energy Council Exec. Director [Katie Stonewater](#).

2018 HOLIDAY SURVEY IS NOW OPEN

The 2018 Illinois Chamber of Commerce Paid Holiday Survey is now open. For many years, this survey has informed businesses in Illinois of what holidays other companies are providing to their employees for the next year. Your responses are very helpful to us, and we appreciate your time. This survey should only take a couple of minutes to complete.

Your feedback is a useful tool in helping many Illinois businesses determine holiday benefits for employees. We value your opinion. To take the survey, [click here](#).

NEW: IL CHAMBER BUSINESS LEADER NOW OUT

This quarter's edition of the Chamber's quarterly publication, the *Illinois Business Leader*, is now available in digital format. To read up on this quarter's publication, [click here](#).



Connect with the Chamber



FOLLOW US
ON TWITTER



SUBSCRIBE



**STRONGER BUSINESS
STRONGER ILLINOIS**

Not a member and want to learn more about the Illinois Chamber [click here](#) to contact Jeanette Anderson

If you have questions about the Government Affairs Report, contact Tyler Diers at tdiers@ilchamber.org. Do not reply to this email.

© Illinois Chamber of Commerce

2016 Government Affairs Report | Tyler Diers, Editor

Illinois Chamber of Commerce, 215 E Adams St, Springfield, IL 62701