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Eagle ■ Eisenstein ■ Johnson ■ Bareck

Protecting the Rights of Working People Since 1954

Katz, Friedman, Eagle, Eisenstein, Johnson & Bareck, P.C.

77 W. Washington Street

20th Floor

Chicago, IL 60602-2904

Telephone: 312-263-6330

Fax: 312-372-5555

Toll Free in Illinois: 800-444-1525

National Toll Free: 888-626-5556

Website: www.kfeej.com

New 2012 Illinois Laws Affecting Working Men and Women

December 30th, 2011 by [The Illinois Injured Worker](#)

The Illinois State Legislature was busy this past year and there are 200 new laws going on the books for 2012. The summary of the new laws going into effect for 2012 which affect working men and women are summarized below. If you have any questions, please feel free to telephone any of our lawyers. We are here to help!

Abuse Coverage (HB 3358/PA 97-0343): Extends a mandate under the Illinois Insurance Code to the state group health insurance plan, county governments, school districts, and cities regarding victims of physical or sexual abuse, to ensure all insurance plans have similar provisions to cover abuse victims.

Background Information Sharing (HB 1240/PA 97-0248): Requires criminal background information on an employee that has been obtained by a school district within the last year to be shared, upon request, with any other school district.

Bus Drivers (HB 147/PA 97-0466): States that a non-CDL holder school bus driver will be subject to reasonable suspicion drug and alcohol testing that's in conformance with federal regulations, except the results of the tests must be reported in a manner approved by the Secretary of State instead of on federal forms. Aligns the drug testing standard with that of the federal government because the state standards were more rigid than the federal standards creating a significant risk of false positive tests.

CDL Licensing (HB 1295/PA 97-0208): Brings Illinois into compliance with a federal law that requires Commercial Driver's License (CDL) holders who must comply with the physical qualifications requirements of the Federal Motor Carrier Safety Administration to provide a current original copy of their medical examiner's certificates to the State driver's licensing agency before a CDL is issued, renewed, upgraded or transferred.

Co-Payment Scale (SB 1236/PA 97-0422): Bases child-care copayments for families who receive child care services or public assistance on family size and income, not on the number of children in care or the amount of services used. Also sets a sliding scale



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for co-payments, reflecting a lower percentage of income for the poorest families, and with a co-payment that gradually increase as family income increases.

Debt Collection (HB 1513/PA 97-0120): Allows employers to deduct wages without the employee's consent in order to collect a debt owed to a municipality or to recoup excess money that was paid by a municipality in error.

Educational Training (SB 1578/PA 97-0525): Adds educational support personnel to those who can attend teacher's workshops, or institutes (professional development/training days). States that the support personnel may be exempt from a workshop if it isn't relevant to the work they do and it is not related to the health and safety of students. For Cook County only, when referring to the 4 days that may be used for teacher in-service workshops or professional development, adds that 2 days may be used as a teacher's and educational support personnel workshop, when approved by the Regional Superintendent.

Equal Pay Act (SB 115/PA 97-0512): Provides for civil penalties of up to \$5,000 when an employer interferes with an employee's attempt to exercise a right granted to them by the Equal Pay Act.

First Aid Kits (HB 1573/PA 97-0374): Requires all classes of railroads to have first aid kits available when transporting railroad employees.

IMRF Pensions (HB 1471/PA 97-0319): Requires that the Illinois Municipal Retirement Fund calculation for the present value of a reserve annuity account for salary and service must provide a more accurate cost for each employer when an IMRF employee has worked under two or more IMRF employers.

Interest Calculation Formula (SB 1133/PA 97-0421): Establishes a formula for interest calculation on payday loans during the initial payment period. Specifically, states that when the first installment period is longer than the others, the amount of the finance charges applicable to the extra days cannot exceed \$15.50 per \$100 of the original principal balance divided by the number of days in a regularly scheduled installment period and multiplied by the number of extra days. Also clarifies that the term "consecutive days" does not include the date on which a consumer makes the final installment payment.



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Jury Selection (HB 2066/PA 97-0034): Includes claimants for unemployment insurance in the lists used to create jury selection pools.

Large Truck Speed Limit (SB 1913/PA 97-0202): Extends the uniform speed limit that currently exists for Interstate highways to include four-lane divided highways. Provides that outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, the speed limit for trucks is uniform with cars, or 65 mph, on four lane divided highways.

Minimum Wage Penalties (HB 3237/PA 97-0571): Increases penalties for contractors, subcontractors and public body employees who do not comply with minimum wage requirements.

Oral Cancer Medications (HB 1825/PA 97-0198): Requires insurance plans that provide coverage for oral cancer medications and intravenous cancer medications to cover oral medications at the same benefit cost as intravenous medications.

Payday Loan Act Restrictions for Military (HB 3257/PA 97-0413): States that a creditor charging an annual interest rate greater than 36 percent to a member of the military or their dependants is in violation of the Payday Loan Reform Act.

Plumber Licensing (HB 1228/PA 97-0365): Outlines that only the state and the City of Chicago may license plumbers. States that in the event that the plumbing contractor's registration is suspended or revoked, DFPR must notify the City of Chicago and any corresponding plumbing contractor's license issued by the City of Chicago must also be suspended or revoked. Similarly, the City of Chicago must notify the Department of such suspensions or revocations within its jurisdiction.

Police/Fire Pension Dissolution (HB 144/PA 97-0099): Allows a municipality to dissolve a police or fire pension fund if an auditor has certified there are no liabilities, participants, or beneficiaries. There are currently a few downstate fire and police funds that are inactive but are still required to have an audit.

As stated above, there were 200 laws passed which are effective January 1, 2012. The laws mentioned above were those deemed to affect working men and women directly. Best wishes for a happy and healthy 2012. We look forward to serving you.
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